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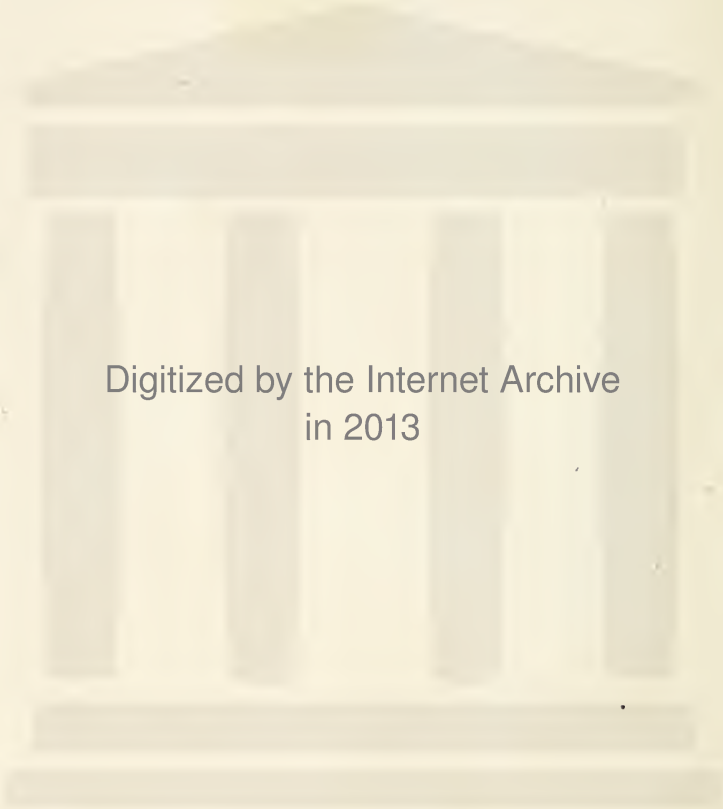

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# Provincial Papers.

## DOCUMENTS AND RECORDS

RELATING TO THE

# PROVINCE OF NEW-HAMPSHIRE,

FROM 1722 TO 1737:

Containing important Records and Papers, pertaining to the Settlement of the Boundary Lines between New-Hampshire and Massachusetts.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF NEW-HAMPSHIRE.

VOLUME IV.

COMPILED AND EDITED BY

NATHANIEL BOUTON, D. D.

Corresponding Secretary of the New-Hampshire Historical Society.

MANCHESTER:
JOHN B. CLARKE, STATE PRINTER.
1870.

# NOTICE.

JOINT RESOLUTION, passed by the Legislature of New-Hampshire.

*Resolved by the Senate and House of Representatives, in General Court convened*, That his Excellency the Governor be hereby authorized and empowered, with the advice and consent of the Council, to employ some suitable person, and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated, to collect, arrange, transcribe and superintend the publication of such portions of the early State and Provincial Records, and other State Papers of New-Hampshire, as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the State Printer and distributed as follows: namely, one copy to each City and Town in the State, one copy to such of the Public Libraries of this State as the Governor may designate, two hundred copies to the New-Hampshire Historical Society, and the remainder placed in the custody of the State Librarian, who is hereby authorized to exchange the same for similar publications issued by other States.

Approved July 6, 1866.

# EDITOR'S PREFACE.

This fourth volume of Provincial Papers embraces the latter part of the Administration of his Honor JOHN WENTWORTH, Lt. Governor and Commander-in-Chief, in the absence of Governor SAMUEL SHUTE; the brief period of Governor WILLIAM BURNET'S administration, 1729, and that of Governor JONATHAN BELCHER, from 1730 to October 1737. The volume is of special and permanent value as containing all the proceedings of the Governor, Council and General Assembly of the Province, and all official documents and papers found in the Secretary's office, relating to the long controversy between New-Hampshire and Massachusetts, in respect of the boundary lines between the two Provinces. The correspondence, also, between Governor Belcher and Secretary Richard Waldron and others, and also that between John Thomlinson, Esq., agent for the Province, in England, and Theodore Atkinson, Esq., and others, of New-Hampshire, will be found to be of great interest and value.

In copying and preparing these Papers for the press, the editor has adhered to the rules at first adopted: viz., to preserve the exact words and orthography, capitals and abbreviations of the papers transcribed; even the punctuation has for the most part been left untouched. Where names of persons in office very often occur, it is denoted by *passim*, and not always noted in the Index.

The fifth volume of Provincial Papers will complete the record of Governor Belcher's administration and the correspondence relating to the boundary lines, between John Thomlinson, Esq., and Mr. Secretary Atkinson. Also, additional letters from Gov. Belcher to Secretary Richard Waldron; but the greater interest and value of the volume will consist in the full record it will contain of the part that New-Hampshire took in the expedition against Louisbourg, 1745, under the administration of Gov. Benning Wentworth.

Concord, December, 1870.

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*Erratum.* On page 387, in a note by the Editor, "November 17th, 1738," should be October 20, 1737; and "1724–1748," should be 1724–43.

# NEW HAMPSHIRE

# PROVINCIAL PAPERS.

## VOLUME IV.

[NOTE BY THE EDITOR.]

[The "RECORDS OF COUNCIL" which follow from June 21, 1722, to November 2, 1728, were copied from a MS. volume in the Secretary's office, labelled "Commissioners, &c., Council & Assembly Records, 1680 to 1740, Imperfect." The reader will perceive that these "Records" are exceedingly meagre and imperfect; but they are the only "Records of Council" that can be found relating to the above-named period, or until April 5, 1742. Probably a portion of the Records of Council were destroyed by a fire which consumed Secretary Waldron's house in 1736.* But though thus imperfect, it will be found that these Records contain some matters of great historical interest and value. Pages in the margin correspond with those in the MS. record.]

---

[P. 1.] Pro. N. Hamp^r. At a Council, June 21, 1722.

Present,
Lt. Gov^r
Mark Hunking,
Thos. Packer,
Arch. McPheadris(1).

*See notice of the fire under date May 21st, 1736, in the "Journal of the House."

(1) Archibald MacPheadris, Esq., is among the tax-payers in Portsmouth in 1727. He built a splendid mansion at Portsmouth in 1718-1723, which cost £6000, and is still standing, at the corner of Daniel and Chapel streets, now known as the Warner house. This house is provided with a lightning-rod which was put up in 1762, under the personal inspection of Dr. Benjamin Franklin, and was probably the first put up in New Hampshire. Captain MacPheadris was a native of Scotland, an opulent merchant, and was a leading projector of the first iron-works in America. He was at the head of a small company which commenced the manufacture of iron from the ore at Lamprey river. In 1719 the General Court of Massachusetts granted to the Company a slip of land two miles wide, at the head of Dover line. This land was to furnish

His Hon$^{r}$ laid before the Board a Charter for Lond$^{n}$ Derry, signed by the Gov$^{r}$, which was read and the question put whether the Clerk should countersign and seal it, w$^{ch}$ was resolved in the affirmative. The Cler. presented y$^{e}$ report of Col$^{o}$ Davis & Capt. Gerrish ab$^{t}$ y$^{e}$ road to Winnipishoky pond, to y$^{e}$ board, which his Hon$^{r}$ took to himself.

---

Prov. of N. Hamp$^{r}$.

At a Council at Portsm$^{o}$ June 27, 1722.
Present
Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffrey, } Esqs.
Thos. Packer, Arch$^{d}$ McPheadris, Rich$^{d}$ Wibird, } Esqs.

His Hon$^{r}$ the Lt. Gov$^{r}$ laid before the Board a letter from Mr. Secretary Williard, dated June 20, 1722, directing him in the Gover$^{s}$ name to cause 30 men to be imprest in this Prov: to joyn y$^{e}$ Eastern recruits; and another [p. 2.] letter from his Excellency, dated the next day to Inforce it; and he likewise informed the Board he had ordered the impressing y$^{e}$ 30 men according to s$^{d}$ order, whom he expected to appear forthwith; and thereupon proposed that the Treasurer should subsist them for the present, & that y$^{e}$ clerk forthw$^{th}$ issue out summonses to the several members of the House of represent$^{s}$ to meet in Gen$^{l}$ Assem. to morrow at 3 o'clock p. m., which was resolved, nemine contradicente.

---

Prov. of N. Hamp$^{r}$.

At a Council at Portsm$^{o}$ July 3d, 1722.
Present:
Lt. Gov. Wentworth,

Sam$^{l}$ Penhallow, Geo. Jaffrey, Arch$^{d}$ MacPheadris, Hunking, Wibird.

Whereas his Hon$^{r}$ the Lieut. Gov$^{r}$ and this Board are credibly informed that there is now and hath been for 48 houres last past a pirate sloop lying near the Isles of Shoales to the Eastward

fuel for the iron-works, and a location for settling the foreign operatives. Captain MacPheadris married Miss Sarah Wentworth, one of the sixteen children of Lt. Governor John Wentworth. They had but one daughter, Mary, who married, in 1754, Hon. Jonathan Warner. Capt. MacPheadris died in 1729. His widow married Hon. George Jaffrey.—*See Rambles about Portsmouth, p.* 138.

thereof, which may w^th^ the greatest probability destroy all vessels as well provision vessels as the fishery and all others upon the coast, if proper measures do not prevent: It is therefore in Council concluded and resolved, That a suitable vessel be forthw^th^ provided for pursuing the said pirate, and for the encouragm^t^ of all such as shall enlist themselves on board the said vessel to pursue the s^d^ pirate, each person so enlisting [p. 3.] shall receive in hand 20s. cash for 4 days, and for any longer time they shall be absent, further reasonable wages, and that they shall be entituled to the King's bounty, which is £10 pr head, and the vessel w^th^ all apparell, & w^th^ all cargoe in case of caption.

---

Pro. N. Hamp^r^.

At a Council, July 14, 1722.

Lt. Gov^r^

| | |
|---|---|
| Sam^ll^ Penhallow | Shad. Walton |
| Mark Hunking | Rich^d^ Wibird |
| Geo. Jaffrey | Tho. Packer. |

The Lt. Gov^r^ laid a complaint w^ch^ he had received from J. Odiorne, Esq., ag^st^ Col. Walton: Ordered to be heard the first Tuesday in Aug^t^ next. Ordered, The Lt. Gov^r^ be reimburst out of y^e^ treasury £7: 15: 6, for his expenses in settling Garrisons in y^e^ frontiers. Ordered, Mr. Phipps & Mr. Jaffrey agree upon the bill of cost of Amory vs. Winkley.

Ordered, That the postmaster be paid 3^lbs^ out of the treasury for publick letters to and from this Goverm^t^ to this day.

---

Pro. N. Hamp^r^.

At a Council, July 20^th^, 1722.

Present:

Lt. Gov^r^

| | |
|---|---|
| Sam^l^ Penhallow | Geo. Jaffrey |
| Rich^d^ Wibird | Tho^s^ Packer. |

The Lt. Gov^r^ laid before the Board an acc^t^ of ——— Robinson, am^o^ to 30 lbs. 17 : 2, for work at y^e^ Fort. Ordered that a warr^t^ be issued out to the Treasurer for 20 lbs. payable to s^d^ Robinson in part, and that the acct. be laid before the [p. 4.] Gen^l^ Assem. at their next sessions allowance.

Resolved, That whereas there was 2 act^s^ entered by Amory & Winkley at y^e^ Court of Appeals, at y^e^ last term, and Judgm^t^ entered onely on one, that y^e^ bill of cost to be taxed now be onely the costs in that case.

Pro. N. Hamp$^{r}$.

At a Council at Portsm$^{o}$ Jan$^{y}$ 9$^{th}$, 1722–3.

Present:

Lt. Gov$^{r}$

Mark Hunking, Esq. Geo. Jaffrey, Rich$^{d}$ Wibird, } Esqs.

His Hon$^{r}$ the Lieut. Gov$^{r}$ laid before the Board a letter directed to him, bearing date y$^{e}$ 27$^{th}$ X$^{br}$, 1722, from his Excellency Gov$^{r}$ Shute, importing that there is a great deal of difficulty and delay in the affairs of y$^{e}$ Goverm$^{t}$ for want of a sufficient number to fill up his Majestys Council, and therefore that he had recommended Jno. Frost,(1) Esq., for one, till such time as they are filled up from home; which letter being read, the said Jno. Frost, Esq., was sent for to the Board, to whom was administered y$^{e}$ oaths, instead of y$^{e}$ oaths of allegiance and supremacy, and the abjuration oath, and y$^{e}$ oath of a Councillor, and y$^{n}$ by y$^{e}$ [p. 5.] advice of y$^{e}$ Council took his place at y$^{e}$ Board accordingly.

---

In Council, May 21$^{st}$, 1723.

*Voted*, That Mark Hunking and Rich$^{d}$ Wibird be of the Committee from the Board to joyn w$^{th}$ so many of the House of Representatives to examine the claims and Demands and audit the accounts of all persons to be laid before the Gen$^{l}$ Assem. at this Sessions, and that they make their report as soon as conveniency will permit.

Rich$^{d}$ Waldron, Cler. Con.

(1) Hon. John Frost was of New Castle. He was a native of Kittery, Me., born in 1681, and was the son of Major Charles Frost, who was slain by the Indians on the Sabbath, July 4th, 1697, as he was returning from meeting, and grandson of Nicholas Frost, an emigrant from England, born at Tiverton, about the year 1589, and settled at Sturgeon Creek, in Eliot, 1636, where he died in 1663. This grandson, Hon. John Frost, in 1702 married Mary Pepperill, sister of Sir William, the baronet. Established at New Castle, he soon rose to eminence. He was a member of his Majesty's Council, at one time commanded a British ship-of-war, afterwards pursued the profession of a merchant, and was much distingnished and highly useful in civil life. His place of residence was on an eminence, westerly of the Prescott mansion (since the Almshouse), commanding a view of the spacions harbor, the river and its tablelands, with the lofty Agamenticus in the distance. His family was numerous and highly respectable. He died February 25, 1732, aged fifty-one years.—*See Rambles about Portsmouth, p. 86, and Farm. Belk., p. 411.*

[p. 6.] Pro. N. Hamp$^{r}$.

Council, June 26, 1723.

Lt. Gov$^{r}$

Mark Hunking, Geo. Jaffrey, Shad. Walton, } Esqs.

Rich$^{d}$ Wibird, Packer, Jno. Frost, } Esqs.

Rob$^{t}$ Armstrong, Esq., presented a Memorial to y$^{e}$ Board und$^{r}$ his hand, setting forth that he had been falsely represented to the Hon$^{ble}$ y$^{e}$ Lords of y$^{e}$ Treasury, and therefore praying that his character might be *cerifyed* by the Honourable Board, &c., as pr y$^{e}$ Memorial at large, on file. Whereupon, It was resolved to give the s$^{d}$ Armstrong y$^{e}$ following certificate (namely), That during our acquaintance w$^{th}$ the s$^{d}$ Rob$^{t}$ Armstrong, Esq., y$^{e}$ Memorialist, and his abode in this Province, he has behaved himself as a loyal subject and faithfull officer, and in no way inclined to y$^{e}$ Pretender, nor any of his adherents, by anything that has ever occurred to our knowledge.

By order of y$^{e}$ Lt. Gov$^{r}$ & Coun.

R. Waldron, Cler. Con.

Col. Hunking presented to the Board a return of Stratham south-east bounds, signed by himself and James Jaffry; the same was ordered to be filed w$^{th}$ y$^{e}$ Report of y$^{e}$ committee appointed to settle all y$^{e}$ town bounds in y$^{e}$ Province.

---

[p. 7.] Pro. N. Hamp$^{r}$.

At a Council at Portsmouth, July 22$^{d}$, 1723.

Present

Lt. Gov$^{r}$,

Mark Hunking, Shad. Walton, } Esqs.

Rich$^{d}$ Wibird, Tho$^{s}$ Packer,(1) } Esqs.

The Committee appointed by y$^{e}$ Gen$^{l}$ Assem. the first day of June, 1723, to survey Lampry River and report y$^{e}$ most commo-

(1) Thomas Packer, whose name appears here for the last time as a member of his Majesty's Council, was a physician — "One of the earliest surgeons of Portsmouth who had been regularly bred to the profession. He was born in London. He came to this country a young man, resided a short time in Salem, and then removed to Portsmouth. There being no physician here at that time of much repute, he united the practice of physic with that of surgery, and attained some eminence in both. He held the office of Judge of the Court of Common Pleas, Lieutenant-Colonel in the Militia, and Judge of Probate for the Province, for many years. As Judge of the Court of Common Pleas, he was superseded in 1695; and from the other two offices, was dismissed by the President and Council the beginning of the year 1697. He was appointed Councillor in 1719, which office he held till his death." [Farmer puts his death in 1723.—Ed.] *Adams' Ann. of Ports., p.* 154.

dious place for building a bridge across s^d^ river, this day made their Report to the Board as follows:

Committees Report.

Ordered, That the Clerk serve the selectmen of Dover w^th^ two copys of y^e^ said report, and direct them to serve the selectmen of Exeter with one of the s^d^ copys, and withal to lett the s^d^ selectmen of Dover know that his Honour the Lieut. Gov^r^ and Council expect that a suitable bridge be built assoon as possible at the place mentioned in y^e^ s^d^ Report, w^ch^ they have accepted, and that they communicate the same to the s^d^ selectmen of Exeter, in order to that town's bearing their proportionable part of the charge of said bridge, as to right and justice doth appertain.

Rich^d^ Waldron, Cler. Con.

---

Pro. N. Hamp^r^.

At a Council, Jan. 22, 1723-4.

Col. Plaisted and Capt. Frost appointed Justices of Peace, and sworn and ordered to be inserted in the Commission of the Peace accordingly.

---

Pro: N. Hamp^r^.

At a Coun^l^ Feb. 22^d^, 1723-4.

[p. 8.] Present,
Lt. Gov^r^,

Sam^l^ Penhallow, Geo. Jaffrey, Mark Hunking, Rich^d^ Wibird } Esqs.

His Hon^r^ presented a Commission to Sam^l^ Penhallow, Esq., to be Treasu^r^ of this Province, and acquainted him that he had ordered y^e^ Clerk to prepare a bond for him to sign w^th^ two sureties for his fidelity in y^e^ office, &c.

Feb: 24. Y^e^ bond signed pr Mr. Penhallow, Rich^d^ Wibird, Esq., and Benj. Gambling,(1) Esq., as on file.

---

At a Council, July —, ——.

[p. 9.] Present,
Lt. Gov^r^.

Mr. ———, Mr. Jaffrey, Mr. McPheadris.

Ordered, That y^e^ Treasurer provide necessary for 40 men to be detached for a cruice after y^e^ Eastern Ind^ns^.

(1) Benjamin Gamblen (or Gambling), Esq., was a gentleman of property in Portsmouth.

[P. 10.] At a Council, July 15th.

Present,
Lt. Govr

Saml Penhallow — Geo. Jaffrey
Shad. Walton — Richd Wibird.

Capt. Jno. Salter & Thos Mannery appearing at ye Board by order of his Honr, and being examined of a late cruise they were imployed in after ye Eastern Indns; upon which there appeared that there was just cause to suspect them guilty of horrible cowardice: whereupon it was ordered, yt ye sd Salter and Mannery appear at ye Council Chamber on ye 12th of Augst next, at 10 o'clock A. M., to undergoe a proper & regular tryal by a Court for that end to be appointed, & yt . . . . . .

---

[P. 11.] Pro: N. Hampr. At a Council held at New Castle, ye 26 July, 1729.

Present, His Honour John Wentworth, Esq. Lieut. Govr

Saml. Penhallow, Mark Hunking, Geo. Jaffrey } Esqs. — Shad. Walton, Richd. Wibird.

Ye Indian Scooner first discovered under ye Eastermost Green Island to ye Westward of *Munpomecus* [*?*] last Fryday, between 3 & 4 o'clock P. M. & that Capt. John Salter was then abt a league & ½ distant to ye Eastwd & to windward withall, & yt ye Deponent tack'd his vessel to speak wth his Consort Salter & came up wth him, & spoke wth him in less than ½ an hour, & then told that under yonder Green Island were the Enemy they came to seek for, and asked him if he would go & see him;—to which Capt. Salter replyed, he would; & upon sd Salter's so saying ye Deponent shot along ahead of him toward ye Indn scooner, & Salter follow'd on; but being at some distance behind, ye Deponent asked his men if yy were willing to run down upon ye scooner and board ym, and some of his people reply'd, it was best to stay for Salter: then the Deponent wore his shallop round to speak wth Salter again, & haled him, & desired him to bring too in order to attack the enemy; ye Deponent plainly seeing ye Indns on board ye scooner, & supposing that Salter did the like; upon which Salter wore also and said that he would have ye Deponent take the first fire, & that the Deponent said he was willing & would never leave him. Upon which Salter pray'd ye Deponent not [P. 12] to take the wind from him — that the scooner dogged the shallops abt an hour & ½.

That when ye Deponent offered to go if 10 men would stand by him, ye people generally that were forward said yy were not willing to fight wthout Salter;—& yt he supposed Hooker & Hooper were there.

John Hooker, sworn.
Benj[a] Yeaton — Benj[a] Libby.

That they heard Mannery say, if after Salter was gone, y[t] if 10 or 11 would but come aft & hold up their hands & stand by him, he would fight y[e] scooner; yet but they themselves were not willing w[th]out Salter.

Joseph Cowel:

That he was not willing to fight w[th]out Salter was there.

Wm. Packer:

That he heard Mannery say, if 11 men would come aft & hold up their hands to stand by him, he would fight y[e] Ind[ns] in ye scooner.

Jn[o] Jones:

That he was not willing to fight after Salter was gone, but he heard Mannery say something ab[t] 11 men, but he would not say certainly what.

Immanuel Martin:

That he was not willing to fight after Salter was gone.

[p. 13.] Sam[l] Emery:

Y[t] he heard Mannery say, if 11 men would stand by him, he would fight y[e] scooner, but y[t] himself was not willing without Salter.

Tho. Barns:

That he was not willing to fight after Salter was gone.

Andr[w] Barns:

That he heard Mannery say, if 11 men would stand by him, he would tack upon y[e] scooner and fight them; but y[t] he himself was not willing.

---

[p. 14.] Pro: N. Hamp[r]. At a Council at Portsmouth, 7[br] 26[th], 1724.

Present—His Hon[r] John Wentworth, Esq., Lt. Gov[r]

Mark Hunking, Geo. Jaffrey, R. Wibird } Esqs.

His Honour y[e] Lt. Gov[r] laid before y[e] Board a warrant signed George R. & by His Maj[ties] Command, Hollis, New Castle, Dated at Kensington, y[e] 9[th] day of July, 1724, for admitting and swearing Arch[d] MacPheadris, Esq., to be of y[e] Council of this Province.

And another for John Frost, Esq., signed as afores[d], and dated y[e] 10[th] day of July, 1724.

And another for Jotham Odiorne, Esq., signed as afores[d], & dated y[e] 11[th] of July, 1724.

And the s[d] Arch[d] MacPheadris, Esq., John Frost, Esq., being sworn before, Jotham Odiorne, Esq., (1) was sworn & admitted to be of the Council accordingly.

(1) Hon. Jotham Odiorne was, in early life, a resident of Newcastle; but afterwards lived in a house on Market street in Portsmouth, which was burnt in the great

[P. 15.] Pro: N. Hamp$^{r}$. At a Council held at Portsm$^{o}$ Jan. 7$^{th}$, 1724-5.

Present,

His Hon$^{r}$ the Lt. Gov$^{r}$,

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffrey } Esqs.
Shad. Walton, Rich$^{d}$ Wibird, Jno. Frost } Esqs.

Arch$^{d}$ MacPheadris, Esq.

His Honour the Lt. Gov$^{r}$ pursuant to y$^{e}$ vote of Gen$^{l}$ Assembly, having appointed Mr. Theo: Atkinson a Commissioner to join y$^{e}$ Commissioners of the other Governments upon a Message to y$^{e}$ Gov$^{r}$ of Canada, and furnishing him for his Journey, Ordered that a Warrant be issued out for y$^{e}$ Paym$^{t}$ of 130£ out of y$^{e}$ Treasury.

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[P. 17.]

To the Honourable John Wentworth, Esq. Lieut. Govern$^{r}$ and Commander-in-Chief in and over his Majesties Province of New Hamp$^{r}$, and to the Honourable the Council sitting in Portsm$^{o}$ in the s$^{d}$ Province;—the Complaint and Petition of Rich$^{d}$ Scotton, Attorney to Cha: Ungle, High Sheriff of the County of Dorchester in the Province of Maryland most humbly sheweth:

That James Smith alias Spurling was by lawful authority in the month of December, 1724, committed to the keeper of the Goal in Dorchester County afores$^{d}$ for suspecion of Felony, for offering to sale and selling to a certain Theophilus Pugh of Nansemond County in the Colony of Virginia, malleable composition of minerals or mettals heavier than silver, which the s$^{d}$ Smith alias Spurling rated and sold as good gold of the value of one hundred twenty and three and halfe ounces, at four pounds pr ounce, curr$^{t}$ money of America, altho' at the same time he knew the s$^{d}$ composition to be false and counterfital ag$^{st}$ the Peace and Contrary to the Statute in such case made and provided; and the said Smith, alias Spurling, being so committed to custody, did soon after make his escape from the afores$^{d}$ Ungle, High Sheriff as afore$^{sd}$, and is come into this his Majesties Province, and the s$^{d}$ Ungle in danger of being highly amerced and being a great sufferer thereby —

Your Petitioner therefore humbly prays that your Honour and

fire, in 1802. He married, about 1720, Mehitable, daughter of Robert Cutt, of Kittery, and had three daughters: *Sarah*, who first married Henry Appleton, and second, William Appleton, (who, though of the same name, was not a relative of her first husband); *Mary*, married Capt. Peter Pearse, of Portsmouth; and another daughter was the mother of Mrs. John Peirce. Hon. Jotham Odiorne, died August 16, 1748, aged 73. *See Ram. about Portsmouth, p.* 150, and *Farm. Belk., p.* 412.

NOTE.—Brewster in his "Rambles" says Jotham Odiorne died 1761.

this Honourable Board would please to order him to be sent back from thence to the County from whence he escaped, [p. 18.] that Justice may be done: — and your Petitioner shall ever pray, as in duty bound.

RICHARD SCOTTON.

31 Janʸ, 1725-6.

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Pro: N. Hampʳ. At a Council held at Portsmº, Janʳʸ 31ˢᵗ, 1725-6.

Present,

His Honʳ the Lt. Govʳ

Geo. Jaffrey, Richᵈ Wibird } Esqs. Thos. Westbrook, Jno. Frost } Esqs.

Jotham Odiorne, Esq.

Forasmuch as Richᵈ Scotton hath followed James Smith alias Spurling from Maryland to this Province, by hue and cry, for an escape from Mr. Sheriff Ungle, of yᵉ County of Dorchester, in sᵈ Maryland, who was there committed to the custody of the sᵈ Sheriff on suspicion of felony, and hath produced a full Power of Attorney from the sᵈ Ungle; and Whereas the sᵈ Scotten hath preferred a Petition to the board praying that the sᵈ James Smith alias Spurling, now in Goal in this Province, may be sent back to the said County of Dorchester for the reasons set forth in the sᵈ Petition:—

Ordered, That the sᵈ James Smith alias Spurling, be delivered into the hands of the sᵈ Richard Scotten, by Benjᵃ Gambling, Esq. High Sheriff of this Province, in order to be transported from hence to the said County of Dorchester;—he the sᵈ Scotten paying the Goaler all the lawfull fees due for yᵉ imprisonmᵗ, Diet, &c., of the sᵈ Smith alias Spurling.

R. Waldron, Cler. Con.

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[p. 19.]

By yᵉ Honᵇˡᵉ Jno. Wentworth, Esq. Lt. Govʳ and Commandʳ-in-Chief in & over his Majᵗⁱᵉˢ Prov. of N. Hampʳ in N. England:

A PROCLAM: FOR A PUBLICK FAST.

Forasmuch as our Good God is yᵉ bountiful bestower of all our benefits; & whereas it is oʳ bounden duty & highest interest to implore yᵉ smiles of his Providence on all oʳ affairs, & especially wᵗʰ regard to yᵉ advancing seasons of yᵉ year, I have thought fit, with yᵉ advice of his Majᵗⁱᵉˢ Council, to order & appoint yᵉ Thursday, yᵉ 24: of yᵉ Instant March, be observed as a day of publick

fasting & prayer throughout this Province; hereby exhorting both Ministers and people in y^r^ respective Assemblys, religiously to observe the same, by humble & penitent confession of sin & fervent supplication for y^e^ pardon thereof; & by sincere & hearty prayer y^t^ y^e^ Judgments of Heaven may be averted & y^e^ blessings y^re^of showered down upon us, who merit not y^e^ least favour; particularly, that the precious life & health of our Sovereign Lord, King George, may be continued that their Royal Highnesses y^e^ Prince & Princess of Wales, & all y^e^ Royal Progeny may be preserved; that [P. 20] his Majesty's Councils may be und^r^ y^e^ Divine Guidance, & his Enterprises succeeded; that y^e^ administration of Goverm^t^ in this Province may be prospered; that o^r^ privleges of all kinds may be prolonged; that y^e^ Peace w^th^ y^e^ Ind^ns^ lately agreed on may be ratify'd & long-lasting; that health may be continued, and our husbandry, trade & fishery may be bless'd; that y^e^ true Protestant religion may flourish, and y^e^ professors of it be supported and defended; & y^t^ y^e^ Kingdom of our L^d^ & Sav^r^ J. X. may be advanced; And all servile labour & recreations are forbidden on y^e^ s^d^ day.

Given, &c., 16 March, 1725-6.

Pres^t^—Lt. Gov^r^, in Council,

| | |
|---|---|
| Mark Hunking | Rich^d^ Wibird |
| Geo. Jaffrey | Tho. Westbrook. |

The above ordered to be issued out to y^e^ Ministers forthw^th^.

R. W.

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[P. 21.] Pro: N. Hamp^r^.

At a Council held at Portsm^o^ May 10^th^ 1726.

Present,

His Honour Jno. Wentworth, Esq. Lt. Gov^r^

Mark Hunking, Geo. Jaffrey, Shad. Walton } Esqs.

Richard Wibird, Joth. Odiorne } Esqs.

It being reported to the Board that in Pursuance of a late vote of the Gen^l^ Assem^y^ of the Province of Mass^a^, sundry persons are going or gone to lay out, take possession of, & settle upon some of his Majesty's lands within the limits of this Province, at or near a Place called Pennecook, without the consent of this Goverm^t^ for so doing, which is not only unneighborly, but unjustifiable, and has a tendency to the destroying the Mast Trees fit for his Majesty's service that may be growing thereon, which the Lieut. Gov^r^ and Council in faithfulness to his Majesty & in discharge of the trust reposed in them cannot pass by without bearing testimony against. It is therefore Ordered, That a Committee in behalf of this goverm^t^ viz: Messrs. Nath^l^ Wear, Theod^r^ Atkinson & Richard Wald^n^ jun. immediately repair to s^d^ Pennecook,

& forewarn any persons whom they may find there or thereab$^{t}$ from laying out, taking possession of, or settling at or near the Place call'd Pennecook, or Presuming to appropriate any other of his Majestys lands within this Province, till they shall have y$^{e}$ Countenance and grant of this Goverm$^{t}$ for so doing; & to direct them in an amicable way, forthw$^{th}$ to withdraw y'selves from the s$^{d}$ land, & their pretensions to it, by virtue of the afores$^{d}$ vote of y$^{e}$ Gen$^{l}$ Assem. of y$^{e}$ Mass$^{a}$.

R. Waldron, Cler. Con.

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[p. 22.] In obedience to an order of His Hon$^{r}$ the Lt. Gov$^{r}$ & the Hon$^{ble}$ the Council, made y$^{e}$ 10$^{th}$ Instant, appointing us a Committee w$^{th}$ directions to repair immediately to Pennacook and forewarn any persons whom we might find there, from laying out or settling upon that place or any other of his Maj$^{ties}$ lands w$^{th}$in this Govrm$^{t}$ as pr the s$^{d}$ order will more at large & fully appear: We have been at s$^{d}$ Pennacook, where we found his Hon$^{r}$ Coll. Will$^{m}$ Packer, Esq. Jno. Wainwright, Esq. & Col. Elez$^{r}$ Ting, Esq., w$^{th}$ sundry others, (mostly unknown to us) to y$^{e}$ number of near forty men, who were falling the trees & laying out the lands there: Whereupon, we presented them with the order of Coun$^{l}$ afores$^{d}$, and assured y$^{m}$ that their Proceedings were highly displeasing to y$^{e}$ Goverm$^{t}$ w$^{ch}$ sent us hither, and that they might depend upon it when y$^{e}$ Controversial boundary between the two Provinces should be determined, the poor misled People who might be induced to settle there und$^{r}$ y$^{e}$ colour of a Mass$^{a}$ Grant, would be dispossessed of the said lands or suffer some other Inconvenience equally grievous; and that y$^{e}$ Message on which we were sent & y$^{e}$ fair forewarning they had by us, would take away all occasion of complaint when they should be compelled to leave ye s$^{d}$ lands & lose y$^{e}$ benefit of their Improv$^{mts}$.

To which y$^{e}$ gentlemen before named were pleased to reply, that as we were sent by y$^{e}$ Goverm$^{t}$ of N. Hamp$^{r}$, so were yy by y$^{e}$ Goverm$^{t}$ of Mass$^{a}$ & y$^{t}$ [p. 23.] when they return'd home they would lay before their Gen$^{l}$ Assem: the order of Coun$^{l}$ w$^{ch}$ we had deliver'd, who without doubt would pass thereon as they y$^{e}$ s$^{d}$ Gen. Assem: should think Proper.

Dated at Portsmouth, y$^{e}$ 18$^{th}$ of May, 1726.

Nath$^{l}$ Weare
Richard Waldron
Theodore Atkinson.

Pro: N. Hampr.

At a Council held at Portsmo Aug. 20th, 1726.

Present

Lt. Govr

Mark Hunking, Geo. Jaffrey, Shad. Walton } Esqs.

Richd Wibird, Archd Macpheadris, Jothm Odiorne } Esqs.

Whereas the thirty shillings bills of Credit of this Province signed James Davis, Peter Wear & Joshua Pierce, are counterfeited, & sundry of the sd [p. 24.] counterfeits have been offered in payment which are not supposed to be struck from a Copper plate; — to prevent ye spreading thereof, It is ordered That the same be published in the *Boston Gazzette* that all persons may beware of ye sd Counterfeits; and for Encouragemt of ye Discovery of the sd Plate, any person or Persons that shall give Information, so that the sd Plate may be found & the offender be brought to Punishment, shall receive fifty pounds out of ye Treasury of this Province as a reward for his service.

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Pro: N. Hampr.

At a Council held at Portsmo Sept. 2d, 1726.

Present in Coun$^{l}$

His Honr the Lt. Govr

Mark Hunking, Geo. Jaffrey, Shad. Walton } Esqs.

Richd Wibird, Jno. Frost, Arch. Macpheadris } Esqs.

Ordered, That Capt. Wm. Bowen be allowed and paid 22£ out of ye Treasury in full for ye hire of his Brigantine, & for ye service of his Negro, to Casco Bay.

Ordered, that Mr. Fellows be pd 3£ out of the Treasury for an advertisemt abt 30s bills in ye Gazette.

Ordered, That Hampton, Exeter, Kingston, Dover & Derry be served wth a copy of a Proclama of Peace, to be sent to ye Chief Military officer in each town, to be proclaimed by beat of Drum.

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[p. 25.] Pro: N. Hampr.

At a Council at Port: Oct. 31, 1726.

Prest

Lt. Govr

Geo. Jaffrey

R. Wibird

A. Macpheadris

Ordered a Thanksgiving Proclama be issued out for a Thanksgiving day ye 10th November next: and yt ye Genl Assembly be prorogued till ye 21st 9br.

R. W.

At a Council, Dec. 15th 1726.

| Pres$^{t}$ | y$^{e}$ Lt. Gov$^{r}$ | |
|---|---|---|
| Coll. Walton | | Wibird |
| Mc Pheadris | | Odiorn. |
| Jaffrey | | |

The Selectmen of Exeter appeared to answer to the Petition of Chester, and being heard,

Ordered, That Nath$^{l}$ Wear, Esq. Deacon Jno. Cate & Daniel Lunt be a Comittee to run the head line of Exeter according to the Returne of the Grand Comittee for Runing y$^{e}$ lines of y$^{e}$ severale Towns, Anno 1778 (1) and that the charge thereof be pay'd by Exeter & y$^{e}$ Proprie$^{trs}$ of Chester. The s$^{d}$ Comitte to make Returne thereof upon Oath, to y$^{e}$ Lt. Gov$^{r}$ & Council as soon as possible.

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[p. 26.] Pro. N. Hamp$^{r}$.

March 21$^{st}$ 1726–7. At a Council.

| Pres$^{t}$ | Lt. Govern$^{r}$ | |
|---|---|---|
| Coll. Hunking | | Coll. Walton |
| Capt. Mc Pheadris | | Capt. Frost. |
| Geo. Jaffrey | | |

Ordered, That there be a Sollemn Ffast kept throughout this Prov: on Thirsday, y$^{e}$ 30$^{th}$ inst. and that the Clark of the Council draw Proclamations accordingly.

[p. 27.] Mar. 21: 1726–7.

The petition of Mr. Sam$^{l}$ Waldo, read at y$^{e}$ Board, praying the Attorney Gen$^{l}$ may be directed to informe against, seise and Prosecute a parcell of Mat$^{es}$ (1) &c.

The Kings Attorney being sent for and appeared, Declared that if the s$^{d}$ Waldo would in Due form of Law informe against y$^{e}$ s$^{d}$ Mat$^{es}$ and Indemnifye against all Damages that might arise to him, he was ready and willing to do his duty.

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Pro: N. Hamp$^{r}$.

At a Council held at Portsm$^{o}$ Apr. 3$^{d}$, 1727.

| Present | | Lt. Gov$^{r}$ | |
|---|---|---|---|
| Mark Hunking<br>Geo. Jaffrey<br>Shad. Walton | } Esqs. | Thos. Westbrook<br>A. Macpheadris<br>J. Odiorne | } Esqs. |

Robt. Armstrong, Esq. Deputy Surveyor of his Maj$^{ties}$ woods, being directed to attend at y$^{e}$ Board & Mr. Sam$^{l}$ Waldo's (in be-

(1) This is manifestly an error; the grand Com. to run Town bounds was appointed Dec. 3, 1701.—See Vol. II, p. 360, Part I.—Ed.

(1) From what follows, this word "Mates" means or relates to Masts.—Ed.

half of Mr. Ralph Golston) his Mem° being read in his y^e s^d Armstrong's hearing, he was asked by his Hon^r y^e Lt. Gov^r what he had to say to y^e charge y^t was laid against him y^rin, who reply'd that he told Mr. Waldo he had taken y^e opinion of y^e Advocate Gen^l & of sundry other learned persons in that affair, who were of y^e mind, y^t y^e trees mentioned were not cognizable in y^e Admiralty Court, according to y^e 8^th of his Maj^ty K. George: which advice he sent home & thought fit to discharge y^e [p. 28.] s^d Masts; — security being given that y^e same should be carryed home & tendered according to Act of Parliam^t. Thus far Mr. Armstrong.

Whereupon it was desired by y^e Board y^t his Ho^r y^e Lt. Gov^r see that security for carrying y^e Masts to Great Brittain, & tendering y^m to y^e Navey Board according to Act of Parleam^t.

In Coun:

Ordered That y^e Clerk serve Mr. Waldo w^th a Copy of y^e foregoing Minutes of Council as an answer to his Mem°.

Mr. Phipps, Attor. Gen^l being sent for, and attending at y^e Board, and Mr. Waldo's Mem° in behalf of Mr. R. Gulston, & several letters from him y^e s^d Waldo to his Hon^r y^e Lt. Gov^r being read in his hearing, and being asked by his Hon^r y^e Lt. Gov^r what he had to say to y^e s^d charge contain'd in s^d Letters, he answered as follows:

Inasmuch as the King has commissionated an officer to inspect the King's Woods in this Province and to preserve the Kings Woods therein, according to the several Acts of Parliament made for that end; it appears to me to be his businesse and not mine, as I am the King's Attorney, to seize the woods mentioned by Mr. Waldo — unless Mr. Waldo or some other persons do file an Information. Thus far Mr. Phipps.

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[p. 29.] Pro: N. Hamp^r.

At a Council held at Portsm° Feb^y 14^th 1727–8.

| Present | Lt. Gov^r |
|---|---|
| Col. Hunking | Capt. Macpheadris |
| Mr. Jaffrey | Capt. Frost |
| Col. Walton | Capt. Odiorne |

Capt. Sherburne(1).

Benjamin Rust being informed against for maltiously & seditiously uttering, att the house of Mr. Harvey in Portsmouth, on

(1) Henry Sherburne, of Portsmouth, was appointed a member of his Majesty's Council in 1723; he died Dec. 29, 1758, aged 83.—Ed.

or about y^e 16^th of Jan^y last, words that highly tend to y^e contempt of his Majesty's Lieut. Governour of this Province, and y^e Council as a Court, & in y^e Execution of their duty as such, for which he was apprehended & bound over to appear before y^e s^d Lieut. Governour & Council: whereupon y^e s^d Benj. Rust, appearing, & several Depositions being taken and produced, to support y^e truth thereof, & y^e same, if fully proved tending much to promote sedition & to Defame & Discredit as well y^e s^d Hon^ble Court and persons, as alsoe y^e other Courts of Justice & their administration here legally Established; — That crimes of this nature may not goe unpunished, Its ordered in Council, That y^e s^d Benjamin Rust, forasmuch as y^e Supe^or Court of Judicature, Assise & Gen^l Goal Delivery is now sitting, to whom y^e Enquiry of these things more strictly belongs, shall give such security there as to the Hon^ble Court shall seem meet, to appear and answer y^e s^d misdemeanour before y^e s^d Court, and to be further done with as to Law & Justice appertains; — and that notwithstanding y^e Discharge of his y^e s^d Rust's Recognizance, he be held in Custody of the officer who is hereby commanded to deliver him to y^e Court of Assize, in order to be dealt with as above.

R. Waldron, Cler. Con.

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[P. 30.] Pro: N. Hamp^r.

At a Council held at Portsm^o, March 27: 1728.

| Pres^t | Lt. Gov^r |
|---|---|
| Mark Hunking | Joth. Odiorne |
| Geo. Jaffrey | Henry Sherburne. |
| Rich^d Wibird | |

His Hon^r the Lt. Gov^r acquainted the Board that he had considered it would not be for his Majesty's service nor the Interest of the People, any longer to continue the present General Assembly, and therefore that he had tho't proper to Dissolve them; and to Issue out a precept for the calling a new Assembly to meet next Tuesday, come sen'net. The Coun^l unanimously acquiese in his Hon^rs sentiments and advised to the Issuing a Precept accordingly.

[p. 31.] Pro: N. Hampr.

At a Council at Portsmo ye — of June, being Saturday, 1728.

Present

His Honr John Wentworth, Esq. Lt. Govr

Mark Hunking, Geo. Jaffrey } Esqs. R. Wibird, Joth. Odiorne } Esqs.

His Honr laid before ye Board from his Honr Lt. Gov. Dummer, signifying that ye Govr of ye Massa had delivered up the Indns Captives wthin that Province, to several Cheifs of ye Indns late at Boston, & then Bound to Piscat: to desire any Captives in this Province, which Lt. Govr Dummer in sd letter earnestly press'd to have Dd up to ye sd Chiefs, &c. The said Chiefs being sent for to ye board & attending, & Capt. Jos. Bane interpreter being present:

[p. 32.] *Aryomuct:* Lt. Govr Dummer told us there was an Indian Captive here wch Govr Wentworth would deliver to them, & they desired ye sd Captive.

*Lt. Govr:* You told us at Casco, at ye ratification, that there was 5 Indn captives at St. Francis & promised they should be Dd to ye English; 2 of the 5 were return'd, & desire to know where the others are & have y– Dd up.

*Indn:* The Indns that had ye Captives as soon as yy heard of ye Peace sold them to ye French, & then they were out of our reach. There is not now one captive in ye hands of ye Indians, but all ye English yt were ever taken are with ye French.

*Lt. Govr:* We *here* there is an English captive or two now at Amuskeag wth ye Indns or thereabt.

*Indn:* We know nothing of it and have nothing to say to it; but desire to know whether we shall have ye captive or not.

*Lt. Govr:* I have the same affection.

---

*Anno Rni R'is Georgii, 2di* 2*d*(1).

[p. 33.] Pro: N. Hampr.

At a Council held at Portsmouth on Saturday, the second day of Novembr, 1728.

Present,

His Honr John Wentworth, Esq., Lt. Govr

Geo. Jaffrey, Shad. Walton, Richd Wibird } Esqs. Joth. Odiorne, Hen. Sherburn } Esqs. Councirs.

His Excellency William Burnet, Esq. Produced and laid before the Board his Majesties Royal Commission, constitu[ting] and appointing him to be Govr and Commandr in Chief of this his

(1) In the second year of the reign of King George II.

Majesties Province of New Hampshire; which being opened and Published in the presence of most of the Principal officers and gentlemen of the Government [p. 34.] & many others, the same was succeeded by a round of the Cannon at his Majesties Fort William & Mary, and on board several Merch$^{t}$ ships in the Harbour; and by three vollys of smal arms of a troop of Horse, and five foot companys of Militia drawn up before the Council Chamber on the occasion. Then his Excellency was pleased to communicate to the board the names and order of the Persons appointed to be his Majesties Council$^{rs}$ of the s$^{d}$ Province of New Hampshire, as they stand placed in his Instructions, viz:

| | |
|---|---|
| John Wentworth | Arch$^{d}$ Macpheadris |
| Shad$^{a}$ Walton | John Frost |
| Geo. Jaffrey | Joth$^{n}$ Odiorne |
| Thos. Westbrook | Hen: Sherburne |
| Rich$^{d}$ Wibird | Sam$^{l}$ Penhallow(1). |

After which his Excellency proceeded to take the oaths required by his Commission, viz: the Oaths appointed to be taken by an Act passed in the first year of his late Majesties reign, Entituled an Act for y$^{e}$ further security of his Maj$^{ties}$ Person and Government, and y$^{e}$ succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, & for extinguishing y$^{e}$ hopes of y$^{e}$ pretended Prince of Wales, and his open and secret abettors. He also made & subscribed the Declaration, mentioned in an Act of Parliament, made in y$^{e}$ twenty-fifth year of the reign of King Charles the second, Entituled an Act for preventing Dangers which may happen from Popish Recusants; and further

(1) Saml Penhallow, Councilor, died December 2, 1726, aged sixty-one. He was born at St. Mabon, in the County of Cornwall, in England, July 2, 1665. Being bred a Puritan, he came to this country with the Rev. Charles Morton, of Charlestown, Mass., in 1686. Mr. Penhallow's intention was to devote himself to the ministry; but finding affairs in this country in a more unsettled state than he expected, he removed to Portsmouth and engaged in trade. He married the daughter of the late President John Cutt, and in her right inherited a large estate. He held many important offices in the Government; was distinguished as a magistrate; was deacon in the Congregational Church. He was appointed Councilor in 1702; was Recorder of Deeds, Judge of the Superior Court of Judicature, Chief Justice of the same, and Treasurer of the Province. Possessed of a strong mind, cultivated by education, and influenced by principles of religion, he discharged the duties of these several offices with integrity. He was the author of "The History of the Wars of New England with the Eastern Indians," from August 10, 1703, to July, 1713; & from the 25th of July, 1722, to December, 1725. He was exemplary, charitable to the poor and hospitable to strangers. Naturally of a warm and sanguine disposition, his firmness had the appearance of obstinacy; rigid in his principles, he was unwilling to make due allowances for those who differed from him in sentiment. [*See Ad. Ann. Portsmouth, pp.* 149, 150, *and* "*Memoir*" *prefixed to the* "*Narrative of Indian Wars*," *Cincinnati*, 1859.—Ed.]

took y^e^ usual oath for y^e^ due Execution of the office and Trust [p. 35.] of Gov^r^ & Commander-in-Chief, as well with regard to y^e^ due and impartial administration of Justice as otherwise; and also another oath required to be taken by Governours of Plantations, to do their utmost that y^e^ several laws relating to trade and y^e^ Plantations be observed. Then those of the Council who were present, namely, the Hon^ble^ John Wentworth, Esq., Shad. Walton, Esq., George Jaffrey, Esq., Rich^d^ Wibird, Esq., Jotham Odiorne, Esq., and Henry Sherburne, Esq., took the oaths required by the s^d^ Commission, by them to be taken, viz: The oaths appointed by the s^d^ Act, Entituled an Act for y^e^ further security of his Majesties Person and Goverm^t^ and the succession of the Crown in the Heirs of y^e^ late Princess Sophia, being Protestants; and for Extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors. They also made & subscribed the forementioned Declaration, and took y^e^ oaths for y^e^ due Executions of their place and trust. Then his Excellency proposed the Issuing of a Proclamation for continuing all officers, &c., w^ch^ y^e^ Coun^l^ advised to.

Ordered, That a Proclamation be prepared accordingly and published on Monday next, by beat of Drum, which is as follows —vide on file.

His Excellency was pleased to communicate to y^e^ board an Instruction ag^st^ striking & Emitting Bills of Credit, &c., as follows:

Note. The Council Records here abruptly end, and there remains a *chasm* till 1742.

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*The following is the form of Oaths taken by the Civil, Military and Ecclesiastical officers in New Hampshire, on the accession of George II., A. D.* 1727.

[Hist. Coll. N. H., Vol. IV, pp. 83–87.]

I, ——— ———, do sincerely promise and swear that I will be faithful and bear true allegiance to his Majesty King George the Second. *So help me God.*

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I, ——— ———, do swear that I do from my heart abhor, detest, abjure as impious and heretical, that damnable doctrine and position, that Princes excommunicated or deprived by the Pope or any authority of the See of Rome, may be deposed or murthered by their subjects, or any other whatsoever: and I do declare, that no foreign Prince, Person or Prelate, State or Potentate, hath or ought to have jurisdiction, power, superiority, pre-eminence or

authority, ecclesiastical or spiritual, within the realm of Great Britain. *So help me God.*

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I ——— ———, do truly and sincerely acknowledge, profess, testify and declare in my conscience before God and the world, that our Sovereign Lord, King George the Second, is lawful and rightful King of the realm of Great Britain, and all other his Majesty's Dominions and countries thereunto belonging; and I do solemnly and sincerely declare, that I do believe in my conscience, that the person pretended to be Prince of Wales during the life of the late King James, and since his decease, pretending to be, and taking upon himself the style and title of King of England, by the name of James the Third, King of Great Britain, hath not any right or title whatsoever to the Crown of the realm of Great Britain, or any other of the dominions thereto belonging. And I do renounce, refuse and abjure any allegiance or obedience to him. And I do swear that I will bear faith and true allegiance to his Majesty, King George the Second, and him will defend to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown and dignity. And I will do my utmost endeavor to disclose and make known to his Majesty and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them; and I do faithfully promise to the utmost of my power, to support, maintain, and defend the succession of the Crown against him, the said James, and all other persons whatsoever; which succession by an Act entitled an Act for the further limitation of the Crown, and better securing the rights and liberties of the subject is, and stands limited to the Princess Sophia, Electress and Dutchess Dowager of Hanover, and the heirs of her body being Protestants. And all these things I do plainly and sincerely acknowledge and swear, according to their express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation and promise heartily, willingly and truly, upon the true faith of a christian. *So help me God.*

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[The foregoing oaths were subscribed by the following persons. Their names are copied in the order in which they stand in the original and are according to their autographs (1).—See N. H. Hist. Coll., IV., p. 85.]

(1) The "original" here referred to has not been found by the EDITOR.

*Lieut. Governor*
J. Wentworth

*Council*
M. Hunking
Shad. Walton
Arch'd Macpheadris
Geo: Jaffrey
Jno. Frost
R. Wibird
Jotham Odiorne

Rich[d] Waldron
*Cler. Con.*

*Representatives*
Peter Weare
James Davis
Andrew Wiggin
Paul Gerrish
Sam[l] Tebets
W. Fellows
John Downing
John Gilman
Jos'a Winget
John Sanburn
Ebenezer Stevens
Rich'd Jennes
Eph'm Dennet
Theodore Atkinson

James Jeffry
*Cler. Repres.*

*Ministers of the Gospel.*
Jabez Fitch
Hugh Adams
John Odlin
Nathaniel Gookin
William Shurtleff
Joseph Adams
Ward Clark
Nath'l Morrill
Jon'a Cushing
William Allen
Henry Rust

*Civil Officers*
Nathaniel Weare
Nich'o Gilman
Nat'l Sargent
Geo. Walton
J. Wentworth
Theodore Atkinson
Devereaux Bacon
David Dunbar
Benj'a Gambling
Clement Hughes.

*Assembly*
Nath'l Weare
Andrew Wiggin
Theod. Atkinson
Sam'l Thing
Josh. Peirce
Sam[l] Tebets
Geo. Walker
Eph'm Dennet
James McKeen
Paul Gerrish
Barthol. Thing
Joshua Winget.

*Military Officers*
Richard Jennes
John Downing
John Sanburn
Ebenezer Stevens
Francis Mathes
Nath'l Fellows
John Goffe.

[Then follows a list of a New Assembly, containing, besides the preceding Assembly, the following names:]

Benj'a Gambling
John Sanburn
John Knight
Samuel Ingalls
Thomas Smith
Jaccob Sargent[?]
John Goffe.

## *Journal of the General Assembly.*

[The Journal which follows, from April 30, 1722, till April 22, 1729, is found in a MS. volume in the Secretary's office, labelled "JOURNAL OF THE COUNCIL & ASSEMBLY, 1716–1728." The pages in the margin correspond with the paging of the MS. copy. Many miscellaneous papers of much value will also be found in the body of the work or in the foot notes, for which due credit is given.—ED.]

[P. 222.] Pro. N. Hamp$^{r}$.

At a General Assembly held at Portsm$^{o}$ by prorogation, April 30th, 1722.

Present In Council

His Excellency Sam$^{l}$ Shute Esq Gov$^{r}$

His Honor John Wentworth Esq. L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffry, Shad. Walton, Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

Adjorned till tomorrow 10 o'clock A. M.

---

Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at portsmouth by adjornm$^{t}$ May 1$^{st}$ 1722.

Present In Coun.

His Excellency Samuel Shute Esq Gov$^{r}$

His Honour John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Shad$^{a}$ Walton } Esq

Mark Hunking, Rich$^{d}$ Wibird } Esq

Tho$^{s}$ Packer Esq

A message to the house by the Clerk to require Their attend$^{a}$ at the board. The Speaker and house came accordingly and his Excellency was pleased to make the following Speech:

*Gentlemen—*

I have nothing at present to acquaint you with from The Court of Great Brittain, my packetts being on board the ship that was unfortunatly burnt at Sea. I understand that a bill was past at

the last Sessions of the parliament, for the Encouragement of Naval Stores, as also that the Duty is taken of your lumber which I hope will prove very advantagious to this Province.

Gent—What I have to recommend to you, is the quick Dispatch of Those matters that shall be judged necessary to be done at our present Sessions.

Adjorned till 3 a clock P. M.

---

[P. 223.] Pro. N. Hamp$^{r}$.

Mett according to Adjornment.

Present as Before,

also Geo. Jaffry Esq.

A Message to the board by Cap$^{t}$ Wiggin Cap$^{t}$ Greenough and Mr Dam with the following memorial:

Pro. N. Hamp$^{r}$. To His Excellency Samuel Shute Esq., Cap$^{t}$ Gen$^{l}$ and Commander in Chief in and over His Majesty's s$^{d}$ province:

The Humble Memorial and Request of the House of Representatives of the said province now sitting — Humbly Sheweth—

That It is now more than five years since we The Memorialists were formed and qualifyed a house of Representatives for The Province aforesaid, and The Towns whom we represent Think it a greivance, That They may not have a new choice once in Three years, according To The English constitution, and we having once and again prayed for a dissolution. It being a Greivance also to our selves by being continued so long, Therefore w$^{th}$ submission we humbly pray That We may be now Dissolved, for That It will be a great benefit To The province and also will create and maintain great peace unity and Satisfaction To His Majesty's good subjects of Said Province and to our Selves. So pray your humble memorialists.

May 1$^{st}$ 1722. James Jaffry, Cler. Assem.

Jotham Odiorne Esq. Enters his Dissent ag$^{st}$ This Memorial.

A Message from His Excellency to The house by the Clerk w^th^ the following answer to their Memorial:

[p. 224.] *Gentlemen—*

I have considered your memorial and shall be alwayes ready to Comply w^th^ the requests of a house of representatives when the circumstances of affairs will allow of it. Tho' I must acquaint you that I think this Memorial is without precedent, however since I know your inclinations I shall take your memorial into consideration and Shall at a proper Time endeavour to make you easy. In The mean Time I Think it necessary you should see all the Debts that have been contracted, discharged and The Treasury Supplyed.

A message to the House by Richard Wibird Esq w^th^ a vote for a Committe to consider of Striking more bills of credit &c.

Ordered &c.

Adjorned till tomorrow 10 a clock A. M.

---

Pro. N. Hamp^r^.

At a General Assembly held at portsmouth by Adjornm^t^ May 2^d^ 1722.

Present In Council

| | | | |
|---|---|---|---|
| Sam^l^ Penhallow<br>Mark Hunking<br>Geo. Jaffry | Esq | Shad^a^ Walton<br>Rich^d^ Wibird<br>Tho^s^ Packer | Esq |

A message to the board by Maj^r^ Gillman and Cap^t^ Gillman with a vote for repealing the Impost and Excise Act, and also for refunding to all persons the mony which hath been Taken from them by the impost officer Since the middle of March last; Which vote was returned to the house by Geo. Jaffry Esq who was directed to recommend to them the suspending of said Act for Two months instead of Repealing it and likewise to shew them the unreasonableness of refunding the Dutys mentioned in said vote.

The petition of Eph^a^ Roberts and others representing that they had been condemned in an action of Tresspass in the County of Essex for a fact done in New Hamp^r^ and praying relief was read at the board as on file.

[P. 225.] A message to the House by the Clerk to Inquire whether any thing was done upon the vote of Council sent down yesterday, who replyed It was under consideration.

Adjorned Till 8 a clock P. M.

---

Pro. N. Hamp$^{r}$.

Mett according to Adjornm$^{t}$. Present as before.

A message to the board by Capt. Gillman w$^{th}$ a vote for repealing the impost and Excise Act.

A message to the board by Mr. Dennet w$^{th}$ y$^{e}$ following vote :

In Council,

Voted, That a Committe of both houses be appointed to consider of a proper fund & method for bringing into the Treasury, all such monys as have hitherto been postponed and also to make an Estimate of the charges of the Goverment which have arisen since His Majesty's order to His Excellency prohibiting the Striking bills of Credit, &c., & further to consider what sum is necessary to be now struck and Emitted to pay the present Debts and to lodge in the Treasury for defraying the Contingent charges of the Goverment, and that Mark Hunking, George Jaffrey and Rich$^{d}$ Wibird, Esq$^{rs}$ be of the Committe from this board for the service above.

May 1$^{st}$, 1722.

Rich$^{d}$ Waldron, Cler. Con.

May 2$^{d}$, 1722. Read in the house of representatives and Concurred, and Voted that Col$^{o}$ James Davis, Maj$^{r}$ Jn$^{o}$ Gillman and Andrew Wiggin, Esq. be a Committe of this house to joyn w$^{th}$ the Gentlemen of the upper house for the service Exprest in the above vote.

James Jeffry, Cler. Assem.

Adjorned till to-morrow 10 a clock A. M.

[p. 226.] Pro. N. Hamp$^{r}$.

At a General Assembly held at portsmouth by Adjornm$^{t}$ May 3$^{rd}$, 1722.

Present Council

His Excellency Samuel Shute, Esq. Gov$^{r}$

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow | | Shad$^{a}$ Walton | |
| Mark Hunking | Esqs. | R ch$^{d}$ Wibird | Esqs. |
| George Jaffry | | Thom$^{s}$ Packer | |

A Message to the board by Cap$^{t}$ Greenough and Cap$^{t}$ Gillman praying to be informed whether any thing was done upon the vote of the house for repealing the impost and Excise act sent up yesterday; They were answered It was und$^{r}$ Consideration.

A Message to the house by Geo. Jaffry and Rich$^{d}$ Wibird, Esq$^{s}$ w$^{th}$ their vote for repealing the impost and Excise non-concurred; They likewise carryed down a vote of Council, for Suspending The force of said act (in part) till the end of The next Sessions of the Massachusetts Assembly.

The petition of the Inhabitants of Dover by Their Committe Col. Waldron, Cap$^{t}$ Jones and Cap$^{t}$ Paul Gerrish, praying that Cochecho River and Lamprey River might be bridged at the province charge, was read at the board.

The petition of sundry persons mostly of the Town of Dover praying for a Tract of land above the said Town, &c., was Read at the board and ordered to be delivered to Col. Waldron & Cap$^{t}$ Wentworth That They might Collect out of the said petitioners such persons as They Thought proper to be proprietors and present The same to The board for approbation.

A message to the House by The Clerk, To Enquire whether they had yet Acted upon The publick accounts, who replyed They had not, That They were very solicitous for repealing The impost and Excise Act, and would if pos-

sible accomplish That before They entered upon other busyness.

A message to the board by Cap$^{t}$ Gillman w$^{th}$ the vote of The house for repealing the Impost and Excise Act without any alteration, and the [p. 227.] Council's vote for suspending The said w$^{th}$out any Thing done thereon, both which were returned to The house by Sam$^{l}$ Penhallow, Mark Hunking and Geo. Jaffry, Esqs. To be further considered.

A message to the board by Mr. Dennet & Cap$^{t}$ Gillman w$^{th}$ The following vote:

In The House of Representatives

Voted, That The Act of This Province of the fifteenth of July, 1721, so far as related to the Dutys of Export and impost be suspended until The province of the Mass$^{a}$ put Their Act of Export and Impost In force relating to this province.

May 3$^{rd}$, 1722. James Jeffry, Cler. Assem.

In Council Eod$^{m}$ Die.
Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

A Message to the house by the Clerk To Recommend To them the dispatch of The publick accounts.

Adjorned Till 3 a clock p. m.

---

Pro. N. Hamp$^{r}$.

Mett according To Adjornment.
Present as Before.

The petition of George Walton for himself and The other Children of Sam$^{l}$ Allen, Esq. Dec$^{d}$, praying for a Tract of land four miles Square, &c., read at The board as on file.

His Excellency laid before the board a letter from M$^{r}$ W$^{m}$ Popple, w$^{ch}$ was read and ordered to be Entered in y$^{e}$ Council Book, and is as follows:

*Sir—*

The Lords Commissioners for Trade and plantations have read a letter from Mr Newman To me wth The Extract of one from you to him in relation to the Act for powder mony to be Collected in New [p. 228.] Hampshire and The additional Instruction therein mentioned, Whereupon I am Commanded to Acquaint you, That Their Lordships Thought That The letter I wrote you by their order the 10th Augst last, might have been Sufficient to have Explained the difficultys Mr Newman mentioned in his memorial in relation To The powder mony, but since you have thought That The additional Instruction above mentioned was a Sufficient Authority To you, To Suspend the Execution of The aforementioned act, I am further Commanded To Inform you, That The said Act having been passed in 1702 and Confirmed in 1706 the additional Instruction of 1717 could have no retrospect to The foresaid act, besides Tis plain from The words of The Instructions that the restriction Therein mentioned onely relates to such Acts as Should be passed for the future, and Therefore their Lordships are of opinion that you ought To Take care that the said act be punctually putt in Execution according to the true intent and meaning Thereof.

I am,
Your most humble Servant,
Wm Popple.

Whitehall, febry 13th, 172½.

Adjorned till To-morrow 10 a clock A. M.

---

Pro. N. Hampr.

At a Genl Assem. held at portsmouth by Adjornment May 4th 1722.

Present in Council

His Excellency Samuel Shute, Esq. Govr

His Honour Jno Wentworth Esq. Lt. Govr

Saml Penhallow, Mark Hunking } Esqs.

Shada Walton, Richd Wibird, Thos Packer } Esqs.

The petition of the Select men of portsmouth praying for a Township of six miles broad & Eleven Long Read at the board as on file.

Adjorned till 3 o'clock P. M.

[p. 229.] Pro. N. Hamp$^{r}$.

Mett according to adjornment.

Present as Before.

Ordered That the Clerk write to M$^{r}$ Agent Newman and acquaint him w$^{th}$ the opinion of His Excellency and the Honourable board in relation to the divisional line between This province and the Mass$^{a}$ w$^{ch}$ was immediately done and delivered to His Excellency To be Sent him, a copy whereof is on file.

[From MS. Correspondence in Secretary's Office p. 43.]

*Letter to Mr. Newman, May 4th,* 1722.

Mr. Newman—

Sir—I am commanded by his Excellency the Gov$^{r}$ and the Hon$^{ble}$ the Council [of New Hampshire] to represent to you their sense of that paragraph in the Mass$^{a}$ Charter on which the determination of the Divisional line between this and the Mass$^{a}$ Govern$^{t}$ depends: The words are as follows. "all that part of New "England in America lying and extending from the great river "commonly called Merrimack on the north part, and from three "miles nor-ward of the said river, &c."

It is the last words of the paragraph which want explanation, viz—and from three miles nor-ward of the said river—w$^{ch}$ his Excellency and board understand to intend, That from the mouth of said Merrimack three miles directly north, and from the end of the s$^{d}$ three miles, to run a west line to the western Ocean, and that to be the dividing line between y$^{e}$ two Provinces; and that if it be otherwise as the Mass$^{a}$ would have it, that the said line shall run parallel to the river, This the King's Prov: of N. Hamp$^{r}$ must necessarily be contracted within exceedingly narrow limits; the s$^{d}$ River a little above towns running a great length on a north course, and to eastward of north, and for the most part northerly; which they desire you to lay before the Right Honourable, the Lords of Trade and Plantations, which they think sufficient w$^{th}$out any papers to be sent from hence.

[No signature.]

A Message to the board by Mr. Dennett and Cap$^{t}$ Gillman w$^{th}$ an allowance To The Souldiers sent To The Eastward w$^{ch}$ was sent down for amendment by George Jaffry and Shad$^{k}$ Walton Esq.

Adjorned till Tomorrow

10 a Clock A. M.

Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at portsm$^{o}$
by Adjornm$^{t}$ May 5$^{th}$ 1722.

Present In Coun.

His Excellency Sam$^{l}$ Shute Esq Gov$^{r}$
His Honour Jn$^{o}$ Wentworth Esq. L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffry } Esqs.
Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

A Message to the board by Mr. Dennett and Cap$^{t}$ Greenough w$^{th}$ the Committee of Auditts report as follows and the following votes.

We The Subscribers being a Committee appointed by the General Assembly, for Auditting The publick Accounts of the province, have pursuant To such appointm$^{t}$ Examined The several claims and Demands laid before us and do hereby report That we find justly due to the several persons hereafter mentioned The respective Sums Sett against their names viz$^{t}$

[P. 230.]

| | | |
|---|---|---|
| No. 1, | Mr. Treasu$^{rs}$ Acct. of sundry Disbursm$^{ts}$ | £213. 3. |
| " 2, | Capt Moody's Muster Rol | £ 87. 11. 5 |
| " 3, | Acc$^{t}$ of Victualling Ditto | 29. 7. 4 |
| " 4, | Rob$^{t}$ Coates for a flag Staff &c | 5. 17. 4 |
| " 5, | Cap$^{t}$ Penhallow's Muster Rol | 351. 15. 9 |
| " 6, | Acc$^{t}$ of Victualling &c | 298. — 4 |
| " 7, | M$^{r}$ Clerk Waldron | 70. — — |
| " 8, | D$^{r}$ Peirce | 35. 1. — |
| " 9, | M$^{r}$ Sherriff Gambling for y$^{e}$ year 1721 | 12. — — |
| " 10, | M$^{r}$ Eph$^{r}$ Dennet Coroner | 4. 9. 4 |
| | | £1107. 2. 9. |

May 2$^{d}$ 1722.

Mark Hunking
Geo. Jaffry
Rich$^{d}$ Wibird
Peter Wear
Jotham Odiorne.

In the House of representatives May 4, 1722,

Voted, That the above Accounts be accepted (Except Cap$^{t}$ Penhallow's Muster Roll reduced To £193 : 16 : 8 and Cap$^{t}$ Moodys Muster Roll reduced to 64 : 17 : 7)

James Jeffry Cler. Assem.

In Coun. May 5th 1722.

Read and Concurred. Richd Waldron, Cler. Con.

Sundry Accounts brought in Since The Sitting of ye Auditors. vizt

| | |
|---|---|
| Colo Thomas Packer's account | £19. 10. —. |
| Lt Govr Wentworths acct | 12. 12. 7. |
| Benja Akermans Acct, being pd 4s | 1. —. —. |
| Mr Sherriff Gambling for his Service for ye years 1720 & 1719 not being accted for | 30. 00. 7. |
| | £63 2. 7. |

[p. 231.] In the House of Represen.

Voted The above accts be allowed.

May 5th 1722. James Jeffry Cler. Assem.

Eodm die. In Council.

Read and Concurred. Richd Waldron, Cler. Con.

In The House of Represen.

May 4th 1722.

Resolved that The Souldiers named in Capt Moodys Muster Roll be paid for Their Service at The Eastwd The several Sums as entered agst Their names as in sd Muster Roll on file, in full discharge Thereof.

James Jeffry Cler. Assem.

In Council May 5th 1722.

Read and concurred, (except the words in full discharge thereof). Richd Waldron Cler. Con.

In the House of represen May 4th 1722.

Resolved That Capt Penhallow and The Souldiers named in his Muster Roll be paid for Their Service the Several Sums Sett agst Their names as entered in the Said Muster Roll on file. In full discharge thereof.

James Jeffry Cler. Assem.

In Council May 5th 1722.

Read and Concurred (except the words, in full discharge thereof.) Richd Waldron, Cler. Con.

In the House of Represen. May 4th 1722.

Voted, That from henceforth all Expresses that Shall be Impressed To any where wthin This province, Shall be allowed, and paid by the Treasurer on Certificate of His performance thereof six pence P. mile and eight pence P. mile To any place out of The Province For himself and horse for going out and That ferrys [P. 232.] within this province carry them ferry free.

James Jeffry Cler. Assem.

In Coun. May 5th 1722.

Read and Concurred. Richd Waldron, Cler. Con.

A bill entituled an Act for altering the time for holding The Superiour Court &c. read at the board.

Adjorned till monday next, 3 a clock P. M.

---

Pro. N. Hampr. At a General Assembly held at portsmo by Adjornmt May 7th 1722.

Present In Coun.

His Excellency Samuel Shute Esqr Govr

His Honr John Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, Geo. Jaffry } Esq.

Shada Walton, Richd Wibird, Thoms Packer } Esq

A Bill entituled an Act for altering The Time for holding The Superiour Court of Judicature &c. Read at The board a Second and Third Time and past to be Enacted and sent down by The Clerk for Concurrenee.

The petition of Saml Penhallow Esq, as Admr on ye Estate of John Cutt Deceased praying for a Special Act To Enable him To Sell part of the Intestates Estate &c, read at The board.

Adjorned Till Tomorrow 10 a clock A. M.

Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at portsm$^{o}$ by Adjornm$^{t}$ May 8$^{th}$ 1722.

Present In Council

His Excellency Sam$^{l}$ Shute Esq Govern$^{r}$

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ penhallow, Mark Hunking, Geo. Jaffry } Esqs

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Thomas Packer } Esqs

Adjorned Till tomorrow A. M.

---

[P. 233.] Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. by Adjornm$^{t}$ May 9$^{th}$ 1722, at portsm$^{o}$.

Present In Council

Sam$^{l}$ Penhallow, George Jaffry } Esq

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esq

Adjorned Till 3 a clock P. M.

---

Pro. N. Hamp$^{r}$.

Mett according to adjornment.

Present as Before, also

Mark Hunking, Tho$^{s}$ Packer, Esq.

A message to the board by Cap$^{t}$ Odiorne and M$^{r}$ Dennet with the following report and votes:

Pursuant to a vote of the General Assembly of the 2d Instant, we have examined The State of the province Debts &c, and find There has been postponed and drawn out of The Treasury That is now To be provided for (the Sum of 5284$^{lb}$) by Repetition to be paid from the year 1724 To 1728.

We find the Debts contracted since the Kings order To prohibit the striking bills to amount to £2256–16–4 of which is p$^{d}$ pr Impost 222 — — To be now Impressed for paym$^{t}$ of s$^{d}$ Debts 2001–16–4.

And for payment of the accruing charges, there will be due, (viz$^{t}$)

| | | |
|---|---|---|
| To His Excellency the Gov$^{r}$ | 200 | |
| Repairs of the Fort | 50 | |
| Incidents | 550 | |
| | | — 800 |
| Total | | £2801 |

To be repaid into The Treasury one half in the year 1729, The other half 1730 in like bills of Creditt or such Naval Stores and Species as shall be agreed on by [P. 234] The General Assembly To whom This is submitted By

Mark Hunking
Geo. Jaffry
Rich$^{d}$ Wibird
James Davis
John Gillman
Andrew Wiggin

In the House of Represen. May 8$^{th}$ 1722.

Having considered The report of the above Committee we accept and concur in the same.

James Jeffry, Cler. Assem.

In Council, May 9$^{th}$ 1722.

Read and Concurred. Rich$^{d}$ Waldron, Cler. Con.

In The House of Represen.

Whereas The Emergencys of this Province have at Several Times occasioned The striking bills of Credit To answer the present demand thereof and there is yet out Standing of the same Impression by repetition five Thousand Three hundred and Eighty four pounds, which bills of Creditt are Through much handling, and constant usage very much broken and many of them in danger of being wholly lost w$^{ch}$ may prove prejudicial especially to the poor in whose hands they may Rest and be lost,

Voted That The aforesaid Sum of five Thousand three

hundred and eighty four pounds be forthwith Impressed in ord$^{r}$ to Exchange all the former Impressions of This province Bills before the year 1716, and that The Committe To be appointed for Signing what may be now Struck for the claims on the province as allowed by the Committe may Sign the same, and that the aboves$^{d}$ sum be deposited in The hands of Trustees, for the ends aboves$^{d}$ and no other, w$^{ch}$ shall now be provided for by a fund on the several Towns of this Province proportionably to be paid in To the [p. 235] said Trustees at five equal payments That is to begin at 1724, and so every year to 1728, and to be burnt To Ashes by the General Assembly annually, and That a Committe be appointed to form a bill accordingly.

May 9$^{th}$ 1722. James Jaffry, Cler. Assem.

Eod$^{m}$ die. In Council.

Read and Concurred. Rich$^{d}$ Waldron, Cler. Con.

The House of Represen. having considered the Report of The Committee Relating to what is necessary in ord$^{r}$ to furnish y$^{e}$ Treasury &c.

In The House of Represen.

Voted—That Two Thousand eight hundred pounds bills of Credit on This province be forthw$^{th}$ Impressed and that a Committe be appointed to sign the same which said committe shall furnish The Treasury from Time to Time as shall be allowed and ordered by the Gen$^{l}$ Assembly, and the same committe to form a bill accordingly To bring in the same sum of Two Thousand eight hundred pounds. To them one half in the year 1729 the other half in the year 1730 in like bills of Credit or naval Stores or such Species as Shall be agreed on by The General Assembly.

May 9$^{th}$ 1722. Dan$^{l}$ Greenough, Cler. pro Temp.

Eod$^{m}$ Die. In Council.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

A message to The Board by Cap$^{t}$ Samuel Tibbitts w$^{th}$ the following votes:

Constable Longfellow of Hampton being obstructed in The collecting of his rates near the line in Controversy, There being Twenty eight pounds twelve shillings behind,

[P. 236.] In the House of Representatives

Voted That The said Constable Longfellow be allowed the abovesaid twenty eight pounds Twelve shillings out of the Treasury, and that the said Sum be levyed on the Town of Hampton in Their next Province Tax.

May 9$^{th}$ 1722. James Jeffry, Cler. Assem.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

In The House of Representatives

Voted That M$^{r}$ Agent Newman be presented w$^{th}$ one hundred pounds out of the Two Thousand eight hundred pounds voted to be impressed.

May 9$^{th}$ 1722.

Dan$^{l}$ Greenough, Cler. pro Temp.

Eod$^{m}$ die. In Council.

Read and Concurred

Rich$^{d}$ Waldron Cler. Con.

A Message to the board by Cap$^{t}$ Tibbitts w$^{th}$ the bill sent down the 7$^{th}$ Instant Entitled an Act for altering The time for holding The Superiour Court of Judicature &c. Read in the House and non-concurred.

A Bill Entituled An Act To prevent Swines going at large was laid before The board, and past To be Enacted and Sent down by Shad$^{a}$ Walton Esq. for Concurrence.

A Message to the board by M$^{r}$ Eph$^{a}$ Dennet w$^{th}$ a Memorial & request of Col$^{o}$ Walton praying to be reimburst five pounds out of the Treasury as on file, and the vote Thereon as follows:

In the House of Represen.

May 9th 1722.

Allowed Colo Walton five pounds to be paid him out of the publick Treasury.

Danl Greenough Cler. pro Temp.

[p. 237.] Eodm die. In Council

Read and Concurred.

Richd Waldron Cler. Con.

A Message To the board by Mr Dennet wth The bill Entitled an Act To prevent Swines going at Large. Read in the house and non-concurred.

Adjorned till tomorrow, 10 a clock A. M.

---

Pro. N. Hampr

At a Genl Assem held at portsmo by Adjornmt May 10th 1822.

Present In Coun.

His Excellency Saml Shute Esq Govr

His Honr John Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, Geo. Jaffry } Esqs

Shada Walton, Richd Wibird, Thos Packer } Esqs

Ordered that the Clerk Issue out proclamations for a General Fast To be observed and kept Throughout This province upon Thursday the 24th Instant.

Richd Waldron Cler Con.

A Bill Entitled an Act for striking and emitting a further Sum of Bills of Credit. Read three times at The board & past To be Enacted and Sent down To the house for concurrence by Saml Penhallow & Geo Jaffry Esqr.

A Message To the board by Mr. Dennet and Capt Tibbits wth the following vote.

In the House of Represen.

Voted, That Mr. Speakr Peirce, Colo Davis and Colo Wear be a Committe To joyn wth such as may be chosen

in the upper house for preparing a bill relating to the striking bills of Credit and signing the same.

May 9th 1722. Dan[l] Greenough, Cler. pro. Temp.

In Coun. May 10th 1722.

Read and Concurred and Mark Hunking, Geo. Jaffry and Rich[d] Wibird Esq[s] appointed for y[e] Service above.

Rich[d] Waldron Cler. Con.

[p. 238.] A Message To The board by Mr. Dennet and Capt Tibbitts w[th] a vote of the House for addressing His Majesty, for liberty to Strike and Emitt more bills of Credit w[ch] was returned To The House by Sam[l] Penhallow and Geo Jaffry Esq[s] for farther consideration. by the same Message The bill Entitled an Act to prevent Swines going at large was Sent down To be reconsidered.

A Message to The House by The clerk w[th] The Petition of the Town of Dover as Minuted the 3rd Instant and a vote of Council Thereon (namely) for allowing the petitioners Sixty pounds out of The Treasury Towards bridging Cochecho & Lampry rivers.

Adjorned Till 3 a clock p. m.

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Pro. N. Hamp[r].

Mett according to adjornment.

Present as Before

A Message to The board by Cap[t] Tibbitts and M[r] Dennet w[th] The Bill Entitled an Act for Striking and Emitting a further sum of Bills of Credit concurred & past To be Enacted w[ch] being Immediately Engrost was signed and sealed accordingly.

A Message To The board by M[r] Dennet w[th] the following vote.

In the House of Represen.

May 10th 1722.

Voted That a Committee of both houses be chosen to Desire our agent M[r] Newman To give us advice what proper

Steps may be used in ord$^{r}$ to obtain The Royal assent for Striking bills of Credit in this province for the encouragem$^{t}$ of raising naval Stores, Cap$^{t}$ Odiorne Maj$^{r}$ Gillman and Cap$^{t}$ Wiggin Esq$^{s}$ are of the Committee from This house for the ends afores$^{d}$.

Dan$^{l}$ Greenough Cler. pro Temp.

Eod$^{m}$ die. In Council.

Read and Concurred and Mark Hunking Geo Jaffry & Rich$^{d}$ Wibird Esq appointed for y$^{e}$ service above.

Rich. Waldron Cler. Con.

[P. 239.] A Message To the board by M$^{r}$ Dennet w$^{th}$ The vote of Council for granting sixty pounds towards The bridging Cochecho & Lampry River non-concurred.

A Message to the board by Mess$^{rs}$ Odiorne Dennet and Greenough w$^{th}$ the following vote.

In the House of Represen. May 10$^{th}$ 1722

Voted. That His Excellency be presented w$^{th}$ one hundred pounds to be paid him out of the publick Treasury.

Dan$^{l}$ Greenough Cler. pro. Temp$^{r}$.

Eod$^{m}$ die. In Council.

Read and Concurred.

Rich. Waldron, Cler. Con.

Several Charters being prepared by order of His Excellency The Gov$^{r}$ and Council for granting sundry tracts of land in this province and incorporating The Grantees were this day laid before the board, and being Read were signed and sealed, (namely)

1$^{st}$ Chester Charter dated y$^{e}$ 8$^{th}$ Instant

2. Nottingham
3. Barrington } dated this day.
4. Rochester

Copys of which Charters are on file.

The petition of Samuel Weeks and others in behalf of the parish of Greenland, praying To be proprietors in Bar-

rington, or that another Tract of land be granted them as an Equivalent for it, Read at the board as on file.

Adjorned Till Tomorrow 10 a clock A. M.

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[P. 240.] Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at portsm$^{o}$ May 11$^{th}$ 1722 by Adjornment.

Present In Council.

His Excellency Sam$^{l}$ Shute Esq Gov$^{r}$

His Hon$^{r}$ John Wentworth Esq. L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, George Jaffry } Esqs

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs

A message to the House by Cap$^{t}$ Wibird w$^{th}$ a vote of Council for a Committee To survey The land between Cochecho and Winnipishoky pond which was returned by Cap$^{t}$ Tibbitts concurred and is as follows.

In Council May 11$^{th}$ 1722.

Voted That Lieu$^{t}$ Col$^{o}$ James Davis, Maj$^{r}$ Jno. Gillman and Cap$^{t}$ Timothy Gerrish be a Committee To Survey & find out The most Commodious way to Winnipishoky pond and Report the same w$^{th}$ an Estimate of the Charge That will attend the opening or clearing Thereof to the Gov$^{r}$ & Council within six weeks and that They be paid for the same out of The Treasury.

Rich$^{d}$ Waldron Cler. Con.

In the House of Represen. May 11$^{th}$ 1722.

Read and Concurred.

Dan$^{l}$ Greenough Cler. pro. Temp.

A Message to The House by Sam$^{l}$ Penhallow and Rich$^{d}$ Wibird Esq$^{r}$ w$^{th}$ a vote of Council ab$^{t}$ Swine, w$^{ch}$ was returned by a member of The House Concurred, and is as follows.

In Council May 11$^{th}$ 1722.

Voted. That from and after the first day of June 1722

for and during The Term of three years next ensuing The said day no Swine Shall go at large in that part of The Town of Portsmouth which lyes to the northeastw$^{d}$ of a straight line [p. 241.] which shall run from Edward Cates house To the head of the Creek at Islington, under the penalty of ten shillings fine to be paid by the owner of Such Swine so offending, one half To The Informer The other half To The poor in s$^{d}$ Town, and so toties Quoties any laws useage or Custom To the contrary notwithstanding.

Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen. May 11$^{th}$ 1722.

Read and Concurred.

Dan$^{l}$ Greenough Cler. pro. Temp$^{re}$

Cap$^{t}$ Archibald Macpheadris being sent for by His Excellency appeared at the board who took the oathes Instead of the oathes of Allegiance and Supremacy, and The oath of a Councillor and Then being directed by His Excellency took his place at The board.

In Council.

Granted To The Children of Samuel Allen Esq. Deceased and to Their heirs a Tract of land of four miles square adjoyning to Chester side line, and Notingham head line upon Condition They Settle fifteen familys on the same within five years, but in case of an Indian Warr within that limitation Then to have so many years after the end of the s$^{d}$ Warr To perform the aforesaid Condition.

Rich$^{d}$ Waldron Cler. Con.

Reserved for The Inhabitants of N. Castle & Greenland a Tract of land of four miles broad bounded by the land granted to M$^{r}$ Allen's Children, and six miles long bounded on Nottingham head line, To be hereafter Granted upon such Conditions as The board shall Think meet.

Rich$^{d}$ Waldron, Cler. Con.

The Children of Mrs Ann Clark, who formerly petitioned for a Special Act to enable her to Sell a Tract of Entailed

land appeared at The board and voluntaryly declared, (namely) Margaret Swain, [p. 242.] Bridget Miller & Sarah Clark, That They were freely willing and did Consent to the Cutting of the s$^{d}$ Intail.

Rich$^{d}$ Waldron, Cler. Con.

In Coun.

Ordered, That the Acts and laws of This province w$^{ch}$ are yet onely in Manuscript be forthw$^{th}$ putt in print and that Sam$^{l}$ Penhallow Esq Take the care Thereof.

Rich$^{d}$ Waldron, Cler. Con.

A Message to The house by The Clerk, to Require Their attend$^{a}$ at the board, The Speaker and house came accordingly and Then His Excellency was pleased to prorogue Them and accordingly They were Prorogued Till the first Tuesday In Aug$^{st}$ next.

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Pro. N. Hamp$^{r}$.

At a Session of The Gen$^{l}$ Assem. Mett being Especially Summoned and held at Portsmouth the 28$^{th}$ day of June 1722.

Present In Coun.

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow<br>Mark Hunking<br>Geo. Jaffry | Esqs | Shad$^{a}$ Walton<br>Tho$^{s}$ Packer<br>Arch$^{a}$ Mxpheadris | Esqs |

A Message to the house by the Clerk requiring Their attend$^{a}$ at the board, The Speaker and house came accordingly, and his Hon$^{r}$ The L$^{t}$ Gov$^{r}$ Informed them, His Excellency Gov$^{r}$ Shute had directed the Impressing Thirty men To joyn The Eastern recruits as the Quota of This Province and That They were accordingly Impressed and that he expected provision for their [p. 243.] subsistance. Then The house prayed leave to withdraw to consider The premises and afterward sent up a vote that no Souldier be paid or subsisted for service at The Eastward &c. as in s$^{d}$ vote on file, under consideration.

In Council

Ordered That Mr Treasurer Penhallow forthwith provide twelve barrels pork & twenty five hundred weight of bread To be ready for His Majesty's Service, in case of Emergency.

Richd Waldron Cler. Con.

A message To The board by Mr Dennet wth ye following vote.

In The House of Represen.
June 28th 1722.

Voted, That His Excellency be desired that the men now Impressed may be imployed in scouting within this province and in cutting the Road from Winnipishoky pond to Dover as lately surveyed and that The Treasurer supply Them wth provision and ammunition, and that no Sons under age or servants be admitted to Take up any of Their Wages, without Their parents or Masters consent.

James Jeffry Cler. Assem.

Eodm die. In Council.
Read and Concurred.

Richd Waldron Cler Con.

His Honr The Lieut Govr acquainted The board That he was impowered by His Excellency Govr Shute to Dissolve The Assembly (if he saw meet) and Therefore moved the Council for Their advice Thereupon who unanimously advised in the affirmative. Then His Honr Sent for the House by The Clerk. The Speakr & house came accordingly and His Honr was pleased to pronounce the present Gen Assembly

Dissolved.

[p. 244.] Pro. N. Hamp.

At a General Assembly begun and held at portsmouth July 2d 1722.

Being the first Session.

Present In Council.

His Honour Jn° Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, George Jaffry } Esqs
Shada Walton, Thomas Packer } Esqs

Mr Sherriff Gambling made return of His precept (Issued out the twenty eighth of July last for calling a new Assembly To meet and Sett this day) wth the names of the several persons Elected and Deputed to represent the several Towns as follows.

John Plaisted Esq, Mr Ephª Dennet, Mr Wm Fellows } for Portsm°

James Davis, Capt Tim° Gerrish, Capt Saml Tibbitts } for Dover

John Redman, Mr John Sanburn } Hampton

Peter Wear Esq, Hamp° falls

John Gillman Esq, Capt Jn° Gillman } Exetr

Jotham Odiorne Esq, Mr Theo Atkinson } N. Castle

Saml Easman, Kingston

Capt Jn° Downing, Newington

Andw Wiggin Esq, Streatham

A Message from the board by Saml Penhallow Geo Jaffry Esq and The Clerk to administer The oathes appointed by law To The several Deputys above named, To qualify Them for busyness wch was done accordingly.

A Message to the house by The Clerk To require their attendª at the board. They came accordingly and His Honour directed them (as they were the persons returned to

Serve in the Gen[l] Assem. and now qualified) To proceed To chuse A Speaker and Settle The house &c. Then they withdrew to their own Chamber.

A Message to the board by Jotham Odiorne and Andrew Wiggin Esq. to acquaint His Hon[r] That the House had Chosen Peter Wear Esq Their Speaker.

[P. 245.] A Message to the house by the Clerk to require Their attend[a] at the board.. They came accordingly To whom His Honour The Lieu[t] Governour declared his acceptance of Their choice of a Speaker, and then prorogued The Gen[l] Assembly and accordingly they were Prorogued, Till The first Tuesday in Aug[st] next.

Prorogued Till y[e] 15 Aug[st] 1722.

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Pro. N. Hamp[r].

At a General Assembly held at portsmouth by prorogation Aug[st] 15[th] 1722.

Present In Council

His Honor John Wentworth Esq Lt. Gov[r]

Sam[l] Penhallow, Mark Hunking } Esq

Geo Jaffry, Rich[d] Wibird, Tho[s] Packer } Esq

A Message to the house by the Clerk to require their attend[a] at the board, The Speak[r] and house came accordingly and his Hon[r] was pleased to make the following Speech.

*Gentlemen—*

I had no thoughts of Seeing you untill His Excellency our Governour came into this province which will be the latter end of September, but a warr being declared ag[st] the Indian Rebels of the East and also receiving a letter from his Excellency That he intended to see The Gen[l] Assembly of the Mass[a] on the 8[th] Instant Aug[st] in ord[r] to push on a vigorous Warr ag[st] our Eastern Enemys which letter I shall lay before you.

I hope it will be for H[is] Majesty's Service and the good of This Goverment That we [P. 246.] are now mett to consult of and soon

make such resolves as may push on This warr (that we are so forced into) with a hearty willing mind.

Judge there is none among us that scruples the Justice of This warr on our part since the Indians have so often violated Their most Solemn Treatys and Ingagements to us.

I suppose It's generally Thought That The Scout now on the frontiers of this province under y^e^ Command of Maj^r^ John Gillman is and has been of service, but in case our neighbours of the Mass^a^ make an offensive warr and keep out a sufficient number of men to march to the Enemys head Quarters and also to scour the Sea-Coast at The same time, Then and in such case I hope we shall cheerfully come in to send our Quota of men and joyn w^th^ them to putt a Speedy end to this warr.

If such an army be kept moving in the Eastern parts, Then our Scout which I think it absolutely necessary there should be one may be reduced to a Much Small^r^ number, Than what we now have and as we shall not at present enter upon any other busyness but that of The warr, I hope you will Take it under your serious consideration and grant such Supplys as may carry on the warr chearfully, and also that the Honour of the Government may be supported, for the accomplishing of which you are always sure of my best Endeavours.

Jn^o^ Wentworth.

The Speak^r^ prayed a Copy of the foregoing Speech who was answered by His Hon^r^ that the Clerk should Serve him w^th^ a Copy Thereof, Then the House w^th^ drew to Their own Chamber.

A Message to The house by The Clerk, w^th^ a Copy of His Hon^r^ The L^t^ Gov^rs^ Speech, and a letter from His Excellency to The L^t^ Gov^r^ referred to in s^d^ Speech.

Adjorned Till 3 a clock P. M.

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[P. 247.] Pro. N. Hamp^r^.

Mett according to Adjournment.

Present In Council, As Before.

Adjorned Till Tomorrow 10 a clock A. M.

Pro. N. Hamp$^{r}$.

At a General Assem. held at portsm$^{o}$ by adjornm$^{t}$ Aug$^{st}$ 16 1722.

Present In Coun.

His Honour Jn$^{o}$ Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking } Esq

Geo. Jaffry, Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esq

Adjorned Till 4 a clock P. M.

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Pro. N. Hamp$^{r}$.

Mett according to adjornm$^{t}$.

Present In Coun. As Before.

Adjorned Till Tomorrow 10 a clock A. M.

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Pro. N. Hamp$^{r}$.

At a General Assembly held at portsm$^{o}$ by adjornm$^{t}$ Aug$^{st}$ 17, 1722.

Present In Coun.

His Hon$^{r}$ Jn$^{o}$ Wentworth Esq L$^{t}$ Gov$^{r}$

Samuel Penhallow, Mark Hunking } Esq

Geo. Jaffry, Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esq

A Message to the board by Cap$^{t}$ Gerrish and M$^{r}$ Dennet w$^{th}$ The House of Represen$^{s}$ answers to His Hon$^{rs}$ Speech, and w$^{th}$ The following account and vote.

Pro. N. Hamp$^{r}$ Dr.

For service done in Surveying The road [P. 248] to Winnipishoky, May 21$^{st}$ 1722.

| | | |
|---|---|---|
| To Col$^{o}$ James Davis | 5 days | £2. 10. 0 |
| Cap$^{t}$ Tim$^{o}$ Gerrish | 6 ditto | 30. |
| M$^{r}$ Rich$^{d}$ Waldron | 5 ditto | 2. 10 |
| Jn$^{o}$ Wingate | 5 ditto | 1. 5 |

| | | |
|---|---|---|
| W^m Hill | 5 days | 1. 5 |
| Edw^d Evans | 5 ditto | 1. 5 |
| Dan^l Davis | 5 ditto | 1. 5 |
| | | £13. 0 0 |

In The House of Represen.
Aug^st 17, 1722

Voted, That the above account be allowed.

James Jaffry Cler. Assem.

Eod^m die In Council

Read and Concurred

Rich^d Waldron Cler. Con.

A Message To the board by Col^o Hunking and Cap^t Wibird w^th a vote for a Committee of warr w^ch was returned by Cap^t Odiorne non Concurred.

A Message to the House by Rich^d Wibird and Tho^s Packer Esq w^th a vote of Council for a Committee To wait on His Excellency which was returned by M^r Fellows and Cap^t Tibbitts Concurred and is as follows.

In Coun. Aug^st 17^th 1722

Voted, That one of the House be joyned w^th one of This board to wait on His Excellency w^th The answer of The House To His Excellency's letter and the L^t Gov^rs Speech and discourse Him Thereon.

Rich^d Waldron Cler. Con.

Eod^m die. In the House of Represen.

Read and Concurred.

James Jaffry, Cler Assem.

A Message to the House by George Jeffry Esq w^th Their answer to The Lt Gov^rs Speech to be amended w^ch was returned to The board by M^r Atkinson and Capt Wiggin w^th-out any alteration & is as follows.

[P. 249.] May it please your Honour.

In answer To your Honours speech,

Your Honour Having been pleased in your speech at The opening This Sessions To Inform us That a warr being declared ag^st

The Indian Rebels at the Eastw^d who have violated all Their Treatys and made an unjust warr upon us, That it would be necessary for us in Conjunction w^th The Massa^ts to push on a vigorous warr to The utmost of our power and ability we are entirely of your honours opinion, and Therefore shall chearfully concurr in raising such Sums of mony as shall be sufficient To carry on our proportionate part of The said warr. But whereas our Government lying much of it fronting up^on y^e Wilderness from whence The Indians make their fatal Inroads upon us, as this province has formerly felt by wofull Experience and may reasonably Expect The like again, and having lately discovered that some of Their headquarters are not much above a day's March above our Towns, So That whatsoever we can raise in This Government being imployed on our frontiers would not only be a protection to us, but a very great annoyance To The Enemy, and Tend very much to The distressing Them and bringing the warr to a Speedy conclusion, and we are of opinion That our Good friends and neighbors of The Mass^a will Esteem it a proportionable part in carrying on The warr, and That His Excellency will direct his Commanding officers that may be posted near unto us, To Concert measures w^th ours for suppressing and destroying The Enemy as opportunity & occasion may offer. And whereas you hon^r was pleased To lay before us his Excellencys letter of y^e 13^th Curr^t wherein he directs To Send Seventy men To The Eastward To joyn The Army There we find our Selves utterly unable To Support That Charge and at The same Time To be able to Secure our frontiers and to oppose The Enemy in case of an attack.

Peter Wear, Speak^r.

Aug^st 17 1722.

Adjourned till 3 a clock P. M.

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[P. 250.] Pro. N. Hamp.

Mett according to adjornment.

Present as Before.

A Message To The board by Mess^rs Wiggin and Easman w^th The following vote.

In the House of Represen. Aug^st 17^th 1722.

Voted, That a Committee of This house be chosen To joyn w^th a Committee of The upper house To draw up Instructions for Those Gentlemen That are to wait on His

Excellency according To our vote in The morning, and To lay the same before The General Assembly for their approbation.

Aug$^{st}$ 17$^{th}$ 1722. James Jeffry Cler. Assem.

Eod$^{m}$ Die. In Council.

Read and Concurred, and Voted, That Col$^{o}$ Hunking, Geo. Jaffry and Rich$^{d}$ Wibird Esq be of The Committe from the board to joyn w$^{th}$ so many of The house for The Service above.

Rich$^{d}$ Waldron Cler. Con.

Eod$^{m}$ die.

In The House of Represen.

Voted, That Andrew Wiggin Esq. Cap$^{t}$ W$^{m}$ Fellows and M$^{r}$ Theo. Atkinson be of The Committe of This house for the Service above.

James Jeffry, Cler. Assem.

Adjorned till tomorrow 9 a clock A. M.

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Pro. N. Hamp$^{r}$.

At a General Assem. held at portsm$^{o}$ by Adjornm$^{t}$ Aug$^{st}$ 18$^{th}$ 1722.

Present In Council

His Honour Jn$^{o}$ Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking } Esq

Geo. Jaffry, Rich$^{h}$ Wibird, Tho$^{s}$ Packer } Esq

A Message To The board by Cap$^{t}$ Samuel Tibbitts w$^{th}$ the following votes.

[P. 251.] In the House of Represen. Aug$^{st}$ 17 1722

Voted. That Isaac Green be allowed and paid by the Town of Hampton The sum of Three Shillings pr day for forty eight days according To his oath and that The Select men of said Town of Hampton make an assessment for the same on said Town.

James Jeffry Cler. Assem.

Eod$^{m}$ die. In Council
Read and Concurred.

Rich$^{d}$ Waldron Cler. Con.

In The House of Represen. Aug$^{st}$ 17 1722.

Voted, That the sum of seven pounds be allowed and paid out of The Treasury unto Benj$^{a}$ Akerman for his Service as door keeper for y$^{e}$ year 1721.

James Jeffry Cler. Assem.

Eod$^{m}$ die. In Council
Read and Concurred.

Rich$^{d}$ Waldron Cler. Con.

George Jaffry Esq laid before the board a receipt w$^{ch}$ was ordered To be entered here and Returned to him. It is as follows.

Received of George Jaffry Esq. pr ord$^{r}$ of The Committe for Signing bills of Credit Thirteen hundred Seventy five pounds province bills for Supply of The Treasury, pursuant to order of The Gen$^{l}$ Assem. July 26$^{th}$ 1722.

Pr Samuel Penhallow Treasurer.

A Message To The board by M$^{r}$ Atkinson Cap$^{t}$ Gerrish and Cap$^{t}$ Tibbitts w$^{th}$ a vote for accepting The Committees report appointed To prepare Instructions for The Gentlem$^{n}$ who are to wait on his Excellency w$^{ch}$ was read and non-concurred and sent down by Rich$^{d}$ Wibird Esq. Also by him was sent down a vote of Council for accepting another Report of y$^{e}$ same Committee w$^{ch}$ was returned To the board by Lt. Col$^{o}$ Davis [p. 252.] Capt Gerrish and Two other members non-Concurred as on file.

[From the Journal of the House.]

Aug. 18, 1722.

*Instructions for the Gent. of the Committee yt are to waite on his Excellencie.*

To acquaint his Ex$^{cll}$ y$^{e}$ Governour that this Prov. and every Town in it is so very much exposed to the Insult of the Enemy Indians, by being in a manner all frontiers, as that this Goverm$^{t}$

is unable to comply with his Excell$^{s}$ Demands of sending seventy men to the Eastward, &c. But to assure him y$^{t}$ if the Governm$^{t}$ of the Mass$^{a}$ will, upon advising with this Governm$^{t}$ joyn in an Expedition ag$^{st}$ the enemy at Winnipisokee Pond, Osapee, Pickwaket, & at y$^{e}$ head of Merrymak as *Conega?* &c. this Governm$^{t}$ will readily & cheerfully joyne with them to the number of men mentioned in his Excellences letter, which Expeditions may both annoy the enemy and cover the Frontiers of the Mass$^{a}$ on Merrymack river & this Province at the same time. But this Province lying under much the same circumstances and altogether as much exposed to the incursions of the Enemy as that part of the county of York, viz. York, Berwick, Kittery & Wells, and his Excellencie having tho't it proper not only to exempt the towns abovesaid from any expedition formed ag$^{st}$ the Indians beyond the bounds of s$^{d}$ county, but have afforded them upwards of 100 men from the westward, posted there for theire security; therefore being under y$^{e}$ same circumstances, Pray wee may be excused sending any men into the Eastern Country upon the same consideration.

The above submitted to Gen$^{l}$ Assembly for approbation.

Theo. Atkinson, Clk. Com.

In council read & non-concurred.

R. Waldron, Cler. Con.

A Message To the board by James Davis Esq w$^{th}$ a vote of The house for giving Thanks To his Hon$^{r}$ the L$^{t}$ Gov$^{r}$ for his great care in visiting The frontiers and ordering Scouts &c. as on file.

Adjorned till y$^{e}$ 29$^{th}$ Instant.

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Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at portsm$^{o}$ by Adjornm$^{t}$ Aug$^{st}$ 29$^{th}$ 1722.

Present In Council

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$

Samuel Penhallow, Mark Hunking } Esq

Geo Jaffry, Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esq

Adjorned Till 3 a clock P. M.

[From Journal of the House.]

*Instructions to the Gent. to be Elected to waite on his Excellencee from this Prov: to confer with him touching ye Indian Warr &c.*

To acquaint his Excellencie y^e^ Gov^r^ y^t^ this Governm^t^ will joyne with the Massachusetts in all such Expeditions ag^st^ the Indian enemy as shall be agreed on by both Governm^ts^, not exceeding one company of fifty men at one time; & y^t^ this Governm^t^ expect to be consulted about all Expeditions in which our Quota is demanded.

Submitted for approbation.

Theo. Atkinson, Cler. Comitte.

In Council, August 18, 1722.

Read & accepted & ordered to be sent down for concurrence.

Eodem die. In y^e^ house of Representatives. Read and nonconcurred.

Jas. Jeffry, Cler. Assem.

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Pro N. Hamp^r^.

Mett according to adjornment.

Present as Before.

Also Tho^s^ Pack^r^ Esq

A Message To The House by The Clerk To require Their Attend^a^ at the board. The Speak^r^ and house came accordingly and his hon^r^ was pleased To make The following Speech.

*Gentlemen—*

You have had a recess for a few days That you might The better consider of what I laid before you at our last Sitting and more Especially That part of it w^ch^ relates to The sending our Quota of men To The Eastward to joyn with our Neighbors of The Massachusetts [p. 253.] In Marching To The Head Quarters of The Indian Rebels & That you will freely grant Such Supplys as may be necessary for Their subsistance, in doing of which, We act but the Just part To our selves and also Cultivate a good understanding w^th^ our neighboring Goverment who we see are most generously Entered into The present Warr.

I Flatter my self That We are all of opinion That it is our Interest to Act in Conjunction w^th^ Them, more Especially in matters That Relate to The warr.

I Have given His Excellency our Governour an Account how

farr we had proceeded and that I had further prorogued you for a few days in hopes you would better consider Thereof, and come in To send our Quota. I have His Excellency's answer Thereon, who is greatly Surprised that you should refuse doing a Thing so much your Interest and what the greatest part of you Voted in May Session.

John Wentworth.

Robert Coates presented an Acct of Victualling labourers at Fort W^m^ and Mary To The board.

Ordered In Council,

That Twelve pounds be paid To The accountant in part out of the Treasury, and that The Clerk make out a Warrant accordingly, and That The Acc^t^ be laid before The Committe of Audits for Their allowance of the residue.

Rich^d^ Waldron, Cler. Con.

The petition of The Represen^ts^ of The Town of Dover, praying for a Special Act To Exempt That Town from keeping a gramar School during the Indian warr. Read at y^e^ board and voted That the prayer be allowed &c. and The Said petition and vote sent down by The Clerk for Concurrence.

Adjorned Till Tomorrow 10 a clock A. M.

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[P. 254.] Pro. N. Hamp^r^.

At a Gen^l^ Assem. held at portsmouth by Adjornm^t^ Aug^st^ 30^th^ 1722

Present In Council

His Honour John Wentworth Esq Lt Gov^r^

| | | | |
|---|---|---|---|
| Samuel Penhallow<br>Mark Hunking<br>Geo Jaffry | Esq | Rich^d^ Wibird<br>Shad^a^ Walton<br>Thom^s^ Packer | Esq |

A Message to the board by Cap^t^ Gerrish and M^r^ Dennet w^th^ a resolve of the house that no men be supported in the Eastern parts by this Goverment as on file. Also a Vote for a Committe To prepare a bill for The Encouragem^t^ of Souldiers & Voluntiers; and The vote of Coun. for grant-

ing The prayer of Dover petition concurred w$^{th}$ is as follows.

Voted That the prayer of The petition for Exempting Dover from keeping a grammar School during The Indian warr be granted and that The petitioners have leave to bring in a Bill accordingly.

Aug$^{st}$ 29$^{th}$ 1722. Rich$^{d}$ Waldron, Cler. Con.

In The House of Represen. Aug$^{st}$ 30$^{th}$ 1722.

Read and Concurred provided They keep a school for Reading and writing & arithmetick.

James Jeffry Cler. Assem.

His Honour The L$^{t}$ Governour Communicated To the board a letter from His Excellency of y$^{e}$ 27$^{th}$ Instant directing The Impressing fifty men to joyn the Mass$^{a}$ Army To March Eastward which were impressed and now ready to move, and therefore acquainted Mr. Treasurer Penhallow he expected that he should provide for their subsistance immediately ; who replyed, he would readily do it, but that he had not wherew$^{th}$ in the Treasury for their supply, and therefore could not comply with his Honour's directions till he was enabled by the Gen$^{l}$ Assembly.

A message to the House by Capt. Wibird w$^{th}$ a vote for building a block House at Winnipishoky pond.

Adjourned till 3 o'clock, P. M.

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[P. 255.] Mett according to adjornm$^{t}$

Present as Before.

A message to the Board by Messrs. Fellows and Atkinson with the following vote.

In Council, Aug. 30$^{th}$ 1722.

Voted, That a block-house be forthw$^{th}$ built at Winnipishoky pond, at such place and in such form as a Committe to be appointed for that end shall direct, for the annoyance of the Indian Enemy in those parts, & that a

Committe of both houses be appointed to make an estimate of the charge, in order to have the sum allowed and voted; which committe for making the estimate on the part of the Board are Col. Hunking and Col. Walton.

Rich$^{d}$ Waldron, Cler. Con.

Eodem die. In the House of Represen$^{ts}$.

Read and Concurred, and Col. James Davis, and Cap$^{t}$ Tim$^{o}$ Gerrish to be of a Committe of this House to joyn w$^{th}$ the above Committe for the end aforesaid.

James Jeffry, Cler. Assem.

A message to the house by the Clerk w$^{th}$ the vote for a Committe to prepare a bill for the Encouragement of souldiers and volunteers; and the Committe nominated . . . w$^{ch}$ was returned by Capt Odiorne, concurred, and is as follows:

In the House of Represent$^{s}$ Aug 30$^{th}$ 1722.

Voted, That a bill be drawn up for Encouragem$^{t}$ of volunteers and soldiers of this Province ag$^{st}$ y$^{e}$ Indian Enemy; and that a Committe of this house be chosen to joyn w$^{th}$ a Committe of the upper house for drawing up a bill accordingly.

James Jaffry, Cler. Assem.

[P. 256.] Eodem die, In Council,

Read and concurred; and George Jaffry and Rich$^{d}$ Wibird, Esqs. appointed to be of the Committe from the board for the service above.

Rich$^{d}$ Waldron, Cler. Con.

Eod$^{m}$ die, In the House of Represen$^{ts}$.

Voted, That Capt. Wm. Fellows and Mr. Theodore Atkinson be a Committee of this house to joyn w$^{th}$ the above Committe for the end abovesaid.

James Jeffrey, Cler. Assem.

Capt. Tim$^{o}$ Gerrish presented to the board a bill entituled an Act to exempt the Town of Dover from the penalty of the Act relating to Grammar schools, which was read three

times and past to be enacted, and sent down for concurrence by the Clerk.

Adjorned till tomorrow, 10 o'clock, A. M.

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Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at Portsm$^{o}$ by adjornm$^{t}$ Aug$^{st}$ 31$^{st}$ 1722.

Present in Council

His Hon$^{r}$ John Wentworth, Esq. Lt. Gov$^{r}$

Samuel Penhallow, Mark Hunking } Esqs. George Jaffry, Rich$^{d}$ Wibird } Esqs.

Tho$^{s}$ Packer, Esq.

Adjorned till Sep$^{t}$ 1$^{st}$ 1722.

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Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at Portsm$^{o}$ by adjornm$^{t}$ 7$^{br}$ 1$^{st}$ 1722.

Present in Council

His Honour Jno. Wentworth, Esq. Lt. Gov$^{r}$.

Samuel Penhallow, Mark Hunking } Esqs. Geo. Jaffrey, Rich$^{d}$ Wibird } Esqs.

Tho$^{s}$ Packer, Esq.

[P. 257.] A message to the board by Capt. Gerrish and Capt. Tibbets w$^{th}$ the Report of the Committe for Winnipishoky Fort, and a vote thereon, which vote was returned by Geo. Jaffry, Esq. to be amended, and was amended and brought up again by Mr. Dennet. The said Report & vote are as follow:

An Estimate of the Committe for building and erecting a block-house on the side of Winnepishoky pond, at the south-east side near the opening of the pond, so near the bank of the pond as may be thought convenient; and for the building a block-house of fifty feet long and forty feet wide, with two Flankers, and barricks of nine feet wide all around w$^{th}$in side, and to be built within and without w$^{th}$

square timber of eight inches thick, and the walls without to be fifteen feet high; and the barricks w^th^in eight feet, for which we, the subscribers, do estimate the cost to finish s^d^ block-house about two hundred pounds.

Aug. 30^th^ 1722. Mark Hunking, Shad. Walton, James Davis, Tim^o^ Gerrish } Committe.

In the House of Represen^ts^ 7^br^ 1^st^, 1722.

Voted, That the Report of the Committe for building a block-house at Winnipishoky pond be accepted, with this amendment. That the s^d^ block-house or Fort be made fifty feet square, and that the Commander-in-Chief be desired to provide one hundred & fifty men, at least, for that service, including the labourers, and that it be begun as soon as conveniently may be; & that the Treasurer be ordered to supply accordingly.

James Jeffry, Cler. Assem.

Eodem die, In Council
Read and Concurred.

Rich^d^ Waldron, Cler. Con.

[P. 258.] A message to the board by Capt. Gerrish and Mr. Sanburn, w^th^ the following vote:

In the House of Represen^ts^ 7^br^ 1^st^ 1722.

Voted, That the Committe in whose hands the mony is, supply the Treasury w^th^ four hundred pounds for the subsistance of the forces that shall be imployed in building the block-house voted to be built at Winnipishoky, and for furnishing and supplying w^th^ provision and ammunition such volunteers as shall have or obtain the approbation of the Command^r^ in Chief for the time being.

James Jeffry, Cler. Assem.

Eodem die, in Council,
Read and concurred.

Richard Waldron, Cler. Con.

A message to the House by the Clerk to require their Attend[a] at the board: The Speak[r] and house came accordingly. Then the three following bills, w[ch] were past to be enacted in both houses, were again read and signed and sealed at the board, (namely)

An Act to encourage the prosecution of the Indian Enemy and Rebels.

An Act in addition to the Acts for regulating the Militia.

An Act to exempt the Town of Dover from y[e] penalty of the act relating to Grammar Schools.

Then his Hon[r] was pleased to prorogue the Gen[l] Assem: and accordingly they were

Prorogued, till y[e] 8[th] day of October next.

Prorogued till y[e] 17[th] Instant.

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[p. 259.] Pro. N. Hamp[r].

At a Gen[l] Assembly held at Portsmouth, by prorogation, October 17[th] 1722.

Present in Council,

His Hon[r] Jno. Wentworth, Esq. Lt. Governour.

Sam[l] Penhallow, Mark Hunking } Esqs. Rich[d] Wibird, Thom[s] Packer } Esq.

A message to the house by the Clerk to require their attend[a] at this board; the Speaker and House came accordingly, & then his Hon[r] was pleased to make the following Speech:—

*Gentlemen—*

I received a letter from his Excellency our Governour, bearing date the 5[th] instant, advising me that Coll[o] Schiler, w[th] seven Maquas were come to Boston to treat with the Massachusetts Government ab[t] the Eastern Indian warr; which affair would not permit his Excellency's coming into the Province this Fall, for w[ch] reason, I purpose that our Sessions be short, & therefore pass on those things onely that are absolutely necessary for the support and honour of the Government.

Pursuant to a vote of Gen[l] Assembly, I have caused a way to

be cut to Winnipishoky Pond, which I hope will give general satisfaction. It has been attended with a considerable expence; however it is well over, and that without any loss of men, for which favour God Almighty be praised.

The Block-house voted to be built at the Pond, I am of opinion it is best to suspend the building thereof for the present.

It is just that the souldiers & others that have been in the service of the Goverment should be paid of [off] this Fall. I would therefore recommend to you the Raising two thousand pounds on a good fund, w$^{ch}$ I hope will more than pay of our just debts; & as we are contracting debts on ourselves, so I think it our interest to find out a way to be paying in what we can without laying too heavy a burthen on the people. I would therefore recommend to y$^{o}$ the laying on a tax of one thousand pounds for this present year, to be paid into the Treasury in species, or Merchanable fish, boards and all sorts of Provisions, & y$^{t}$ a Committe be appointed to sett the prices.

[p. 260.] I am of opinion that the report of the Committe of Audit relating to the soldiers sent to Arowsick the last winter, under y$^{e}$ command of Capt John Penhallow, ought to be reconsidered; it appearing to me that the said Capt. & his men are sufferers by the said Committes report.

As I have the command of his Majestys Fort, Wm & Mary, so I think it my duty to lett you know the state of that garrison, what money you formerly voted for the repairing and rebuilding of it I do assure you has been faithfully applyed to that use; what we have rebuilt for the two years past is laid with stone and lime and may stand ages. I hope you will still continue your yearly allowance of about one hundred pounds until it be finished. Our stock at the fort of all sorts runs low; the droping of y$^{e}$ powder act was a very great loss to the Province; — for the redressing of which I think it reasonable & just that we make an additional clause to our Gunpowder act, passed in the year 1704; We then received one pound of powder for every ton the ship or vessel measured; and now but two-thirds of a pound p$^{r}$ ton, occasioned by the difference of mony; so that three shillings p$^{r}$ pound now bears the same proportion that two shillings did when the Act was made; and that all vessels (fishermen only excepted) should be oblidged to pay powd$^{r}$ money once a year.

There are some of the Laws that want to be strengthened, w$^{ch}$ well deserves yo$^{r}$ consideration.

I have onely to add, that you will take effectual care to provide

for his Excellency our Governrs usual allowance, and what else is necessary for the Honble support of this his Majesty's Goverment.

J. Wentworth.

Mr. Speaker prayed a copy of ye foregoing Speech, which was granted; and then he and the house wthdrew to their own Chamber.

Adjorned till tomorrow, 10 o'clock, A. M.

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[P. 261.] Pro: N. Hampr.

At a General Assembly, held at Portsmouth, by adjornmt the 18th day of October, 1722.

Present in Council,

His Honour John Wentworth, Esq. Lt. Govr

Saml Penhallow, Mark Hunking } Esq. George Jaffry, Richd Wibird } Esq.

Thos Packer, Esq.

Adjorned till 3 o'clock, P. M.

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Pro. N. Hampr. Mett again according to adjornmt.

Present in Council—as Before.

A message to the board by Capt. Gerrish and Mr. Dennet wth the Representatives answer to the Lieut. Govrs Speech (as follows)

Pro. New Hampr &c.

In answer to his Honour the Lieut. Govrs speech of ye 17th current:

Whereas yr Honr is pleased to communicate to us the reason of his Excellency's not honoring us wth his presence this Fall's sessions, was his being taken up in a treaty wth the five Nations of Maquas at Boston: we should have looked upon it as a mark of the favour of the Massa Government, if the subject matter of the said treaty had been imparted unto us, our Interest being inseparable from theirs.

We shall take speedy care for the payment of the cutting the way up to Winnipishoky pond, and concurr wth yor Honrs opinion that the building the block-house be suspended for the present.

We shall take care to erect a fund for the payment of all the just debts of the Province. As to the souldiers that went to Arowsick undr ye command of Capt. Jno. Penhallow, the report of the committe being reconsidered by ye assembly and settled as well for others as those, cannot make any alterations.

As to the repairs of Fort Wm & Mary, we [p. 262.] think the season to farr spent for any further repair this fall, but shall not fail making provision in due season therefor.

As to the stock of the stores of the fort, we shall take it into consideration, and doubt not but to find some way to supply it.

We shall likewise consider what yor Honr mentions concerning his Excellency, and also what is necessary for the honble support of this Province.

8br 18th 1722. PETER WEAR, Speaker.

Capt. John Penhallow preferred a Petition to the board, Praying for a reconsideration of the last report of ye Committe of Audit, wth respect to him, and a further allowance for his service at the Eastward: he also preferred another Petition subscribed by Jno. Ladd and others praying for a further allowance to them for service as souldiers at the Eastward.

Adjorned till to-morrow ten o'clock, A. M.

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Pro: N. Hampr.

At a Genl Assem. by adjormt held at Portsmo. ye 19th Oct. 1722.

Present in Council

His Honour John Wentworth, Esq. Lt. Govr.

Saml Penhallow, Mark Hunking } Esqs. Geo. Jaffry, Richd Wibird } Esqs.

Tho. Packer, Esq.

A message to the board by Capt. Gerrish and Mr. Sanburn, with the following vote.

In the House of Represents Oct 19th 1722.

Voted, That the established wages of all officers and souldiers in the service of this Province, done in this Prov-

ince for two years now next ensuing from the 17 of August last past, shall be for [p. 263.] a Captain, seven pounds per month; for a Lieutenant, four pounds; for a sargent & clerk, each fifty eight shillings; for a corporal forty five shillings, and for a centinel forty shillings.

James Jeffry, Cler. Assem.

In Council, Eodem die.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

Mr. Clement Hughes, commissioner of the Excise, laid a Memorial before the board for restraining unlicensed persons from selling strong liquors, &c. w$^{ch}$ was read at the board, as on file.

Adjorned till tomorrow, 10 o'clock, A. M.

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Pro: N. Hamp$^{r}$

At a Gen$^{l}$ Assem: at Portsm$^{o}$ by adjornm$^{t}$ Oct. 20$^{th}$ 1722.

Present in Council.

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking } Esqs. Geo. Jaffry, Rich$^{d}$ Wibird } Esqs.

Tho$^{s}$ Packer, Esq.

A message to the house of Representatives by Messrs. Jaffry and Wibird, w$^{th}$ a vote of Council for a Committe to examine the Treasurer's Accounts from July 1721, and to report the State of the Treasury, &c. By the same message Capt. Penhallow's Petition, and Lieut. Ladd's were sent down and recommended to the consideration of the house.

Adjorned till Monday next, 3 o'clock P. M.

Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assem: by adjorm
October 22$^{d}$, 1722.

Present in Council

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffry } Esqs.
Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

Adjorned till tomorrow, 10 o'clock, A. M.

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Pro. N. Hamp$^{r}$.

[P. 264.] At a Gen$^{l}$ Assem. by adjorm$^{t}$ October 23$^{d}$ 1722.

Present in Council

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking } Esqs.
Geo. Jaffry, Rich$^{d}$ Wibird } Esqs.

Tho$^{s}$ Packer, Esq.

Adjorned till tomorrow, 10 o'clock, A. M.

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Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at Portsm$^{o}$
by adjornm$^{t}$ y$^{e}$ 24$^{th}$ October, 1722.

Present in Council

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffry } Esqs.
Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

A message to the house of Representatives by Rich$^{d}$ Wibird and Tho$^{s}$ Packer, Esq., with a vote for a committe to examine y$^{e}$ Muster Rolls of last summer,—w$^{ch}$ was concurred w$^{th}$, and is as follows:

In the House of Representatives, Octob$^{r}$ 24$^{th}$ 1722.

Voted, That Jotham Odiorne, Esq. and Mr. Theod$^{e}$ Atkinson, and Mr. Dennet be a Committe from this House to joyn with a Committe of the Upper house to examine the Muster Roles of the Souldiers in the service of this Province

this last summer, in ord$^{r}$ to be laid before this house for allowance. James Jeffry, Cler. Assem.

In Council, Eodem die.

Read and concurred; and Mark Hunking, George Jaffry and Rich$^{d}$ Wibird, Esqs. appointed of the Committee on the part of the board for the service abovesaid.

Rich$^{d}$ Waldron, Cler. Con.

Adjorned till tomorrow, 10 o'clock, A. M.

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[P. 265.] Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem: held at Portsm$^{o}$ by adjornm$^{t}$ Oct$^{r}$ 25$^{th}$, 1722.

His Honour John Wentworth, Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffry } Esqs.

Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

A message to the house of Represen$^{ts}$ with a vote of Council for the Treasurer to provide two hundred pr. snow-shoes, &c.

A message to the board by Capt. Fellows w$^{th}$ y$^{e}$ vote of Council for the Treasurer's providing snow-shoes, non-concurred in the house of Representatives; and a vote of that house for the several Towns of the Province procuring Snow-shoes, &c. which was concurred with at the board, and is as follows:

In the house of Represen$^{ts}$ Oct$^{r}$ 25, 1722.

Voted That two hundred pair of snow-shoes, and so many pair of mogosoons be forthwith provided & made at the publick charge; each town in this Province to make their proportional part according to their last prov: tax; and that the selectmen in each town take care the same be done, and rate each town, and pay for the making thereof; and that the care of them be und$^{r}$ the chief military officer in each town, and they shall not be used at any time but for his Majesty's service, nor lent.

James Jeffry, Cler. Assem.

In Council, Eodem die.

Read and concurred.

Richard Waldron, Cler. Con.

A message to this board by Mr. Dennet, with a bill ag$^{st}$ retailing strong liquors without license, which was read and past in the house, the same being read three times at the board, was also past there and ordered to be Ingrost.

A message to the board by Messrs Tibbits and Sanburn, with Mr. Treasurer Penhallow's acct$^{s}$ settled by the house of Representatives w$^{th}$out y$^{e}$ Council.

[p. 266.] A message to the house of Representatives w$^{th}$ a vote of Council, for a Committee of both houses to joyn, to examine the Treasury accounts and report the State of the treasury to y$^{e}$ Gen$^{l}$ Assem: which vote was returned non-concurred, by Capt. Gerrish and Capt. Gillman, by which message the house sent up also a resolve that it was their undoubted right to examine and allow the Treasurer's accounts, as on file.

The Clerk of the Representatives came to the Council board and prayed in the name of the house, the Treasurer's accounts (sent up this day) to correct an error they had discovered, w$^{ch}$ was granted.

Adjorned till tomorrow, 10 o'clock, A. M.

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Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assem: held at Portsm$^{o}$ by adjornm$^{t}$ Octob$^{r}$ 26$^{th}$ 1722.

Present in Council

His Hon$^{r}$ John Wentworth, Esq. Lieut. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, George Jaffry } Esqs.

Rich$^{d}$ Wibird, Tho$^{s}$ Packer } Esqs.

A message to the house of representatives by Sam$^{l}$ Penhallow and Geo: Jaffry, Esq. with the vote of Council for having a Committee of both houses to examine y$^{e}$ Treasurer's acct$^{s}$ (which they had non-concurred yesterday) to be further considered, which was brought back by Messrs.

Wiggin and Tibbets without any alteration, who also brought up to the board Mr. Treasurer's accounts, which the Representatives had settled, but inasmuch as the said house of Representatives would not act in conjunction w$^{th}$ the Council in the settlement, the Council did not pass upon them, but ordered them to be filed as they were.

George Jaffry, Esq. produced and laid before the board a receipt under the hand of Mr. Treasurer Penhallow, for four hundred pounds which he had paid the said Treasurer, by ord$^{r}$ of y$^{e}$ Gen$^{l}$ Assem: of the first of Septemb$^{r}$ 1722.

In Council,

Ordered, nemine contradicente, That the Clerk issue out a Proclamation for a public Thanksgiving to be observed throughout this Province y$^{e}$ 8$^{th}$ day of Novemb$^{r}$ next, and that it be in his Hon$^{r}$ the Lieut. Gov$^{rs}$ name.

R. Waldron, Cler. Con.

[p. 267.] A message to the board by Mr. Atkinson and Capt. Gillman, with the Committe's report on the Muster Roles, as follows:

We the Committe do approve the following Muster Roles, viz.

| | | | |
|---|---|---|---|
| No. 1 | Capt. Jno. Knights Muster Role | | £22: 17: 8 |
| 2 | Capt. Paul Wentworth, | ditto | 17: 2: 4 |
| 3 | Capt. Francis Mathew's, | do | 22: 16: 8 |
| 4 | Maj$^{r}$. Jno. Gillman | ditto | 269: 8: 7 |
| 5 | Capt. Josh$^{a}$ Week's | ditto | 19: 13: 4 |
| 6 | Lieut. Jno. Sherburn, | ditto | 21: 4: 2 |
| 7 | Capt. Jno. Gillman, | ditto | 61: 15: 2 |
| 8 | Capt. Jno. Wadleigh, | ditto | 21: 10: 0 |
| 9 | Leiut. Joseph Beard, | ditto | 62: 17: 1 |

Capt Tim$^{o}$ Gerrish his account ab$^{t}$ cutting y$^{e}$ way to Winnipishoky:
Col. Davis, ditto:
Capt. Jno. Gillman, ditto:
Capt. Sam$^{l}$ Tibbits, ditto:
} Referred to the Gen$^{l}$ Assem.

Mark Hunking
Geo. Jaffry
Rich$^{d}$ Wibird
Jotham Odiorne
Eph$^{a}$ Dennet
Theo. Atkinson.

In the House of Representatives 8br 26 1722.

Resolved The above account of the Muster Roles returned by ye Committe of Audit be allowed the Several Sums Entered against the officers names

James Jeffrey Cler. Assem.

In Coumcil Eodm die

Read and Concurred.

Richard Waldron Cler. Con.

A Message to the house of represent by Richd Wibird Esq with a vote of Council for preparing a bill to lay an additional Duty of Gunpowder on forreign vessels.

[P. 268.] A message to the board by Capt Gillman and Mr. Sanburn with the following accounts and votes of allowance upon them.

7br 10th 1722. Pro. N. Hampr. Dr To Capt Tibbitts.

| | |
|---|---|
| Capt Saml Tibbitts 3 days Service in waiting on his honr the Lieut Govr in dispatching the Souldrs to Winnipishoky at 5s. P. day | 15 |

Pro N. Hampr Dr.

| | |
|---|---|
| To Capt Jno Gillman 7br 10th 1722 For Service as overseer in cutting the way to Winnipishoky pond, being 10 days | £2 10 |
| in that Service at 5s | £– 5 |
| | £2 15 – |

Pro. N. Hampr. To Timo Gerrish Dr 7br 10th 1722.

| | |
|---|---|
| For service done in Cutting the road to Winnipishoky pond being 8 days as Surveyr myself at ten shillings P. day | £4 — – |
| To John Wingate 8 days as Pilot at 5s | 2 — – |
| To Wm Hill 8 days as Pilot at 5s | 2 — – |
| To one Kittle lost in the service aforesd | — 6 |
| Timo Gerrish. | £8 — 6 |
| To Colo Davis for taking the whole care and management of the affairs in Cutting ye way to Winnipishoky pond 8 days at 10s | £4 — – |
| Thoms Alden as Doctr 8 days | 2 — – |
| Signed by Collo Davis being new drawn. | £6 — – |

In the house of Representatives 8br 26 1722.

The above account being referred to the Assembly, Resolved that the above account be allowed as ye sums are Sett of.

James Jeffry Cler. Assem.

In Coun. Eodm die

Read and Concurred.

Richd Waldron, Cler. Con.

[P. 269.] Memorandum of Service done the Province in scouting to Winnipishoky pond, Febry 1721.

| | | |
|---|---|---|
| To 3 men at 6 days each, at 5s P. vizt Benja Wentworth, John Hayes & James Guppy | | £4 10 |
| To Ditto Service done by (vizt) | | |
| Jno Wingate 30s being 6 days at 5s | | £1 10 |
| Eleazr Young 30s | ditto | 1 10 |
| Wm Hill 30s | ditto | 1 10 |
| | | 4 10 |

Octr 1722. Errors Excepted

P. Signed by Colle Waldron and New drawn.

In the House of Represent. Octr 26th 1727.

The above account being Referred to the Assembly, Resolved That the above sums be allowed as Set of.

James Jeffrey Cler. Assem.

In Council Eodm die.

Read and Concurred.

Richd Waldron Cler. Con.

Adjorned till tomorrow 9 a clock A. M.

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Pro. N. Hampr.

At a General Assembly Held at Portsme by adjornment the 27th October 1722.

Present In Council

His Honr John Wentworth Esq. Leiut Govr

Samuel Penhallow, Mark Hunking } Esqs. Geo. Jaffrey, Richd Wibird } Esqs.

Thoms Packer.

A Message to the board by Messrs Redman Fellows and Sanburn wth the Petition of Capt Jno Penhallow Sent down

y^e^ 20^th^ Instant, and the Petition of Leiu^t^ Ladd [p. 270.] and others praying A Further allowance for their Service at the Eastward as Souldiers and also a new Muster Role made and preferred by the said Cap^t^ Penhallow w^th^ the several following votes on the said Petitions and Muster Role, (viz^t^) on Cap^t^ Penhallow's Petition.

In the House of Representatives 8^br^ 25^th^ 1722.

The Prayer of this Petition is partly answered in the Mens Petition and no farther answer given to this Petition.

James Jeffry, Cler. Assem.

In Coun. Oct^r^ 27 1722.

Read and Concurred.

Rich^d^ Waldron, Cler. Con.

on Leiu^t^ Ladds and the Other Sould^rs^ Petition.

In the House of Representatives 8^br^ 26^th^ 1722.

Voted, That the Souldiers that were under the command of Cap^t^ John Penhallow at Arowsick have a further allowance to the Muster Role that is made up of eight Shillings P. month each man for the time he was in the Service, & that Leiu^t^ Ladd have an Addition of ten shillings P. month added to his former pay that was allowed, and the deserters y^e^ same. James Jeffry Cler. Assem.

In Coun. Oct^r^ 27^th^ 1722

Read and Concurred.

Rich^d^ Waldron Cler. Con.

Entered on y^e^ Muster Role as follows

Oct^r^ 27 1722. We of the Committee do allow of the within Muster Role and to be due thereon £125: 3: 8

| | |
|---|---|
| Eph^a^ Dennet | Mark Hunking |
| Joth. Odiorne | Geo. Jaffry |
| Theo. Atkinson | Rich^d^ Wibird |

In the House of Represent^s^ 8^br^ 27^th^ 1722

Voted, The above addition to the former Muster Role be allowed and paid out of the Treasury.

James Jeffry Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron Cler. Con.

[P. 271.] A Message to the board by Mess$^{rs}$ Redman, Fellows & Sanburn w$^{th}$ the votes of Council for levying a tax of one thousand pounds, and Settling a Gunpowder Duty on forreign Vessels, voted by the house of representatives to have the consideration of them Suspended til y$^{e}$ Spring Sessions.

A Message to the house of Representatives by the Clerk with a vote of Council for Trustees to Exch$^{a}$ y$^{e}$ old outstanding bills &c. W$^{ch}$ was Concurred w$^{th}$ in the house & Returned by Maj$^{r}$ Gillman and is as follows.

In Council 8$^{br}$ 27$^{th}$ 1722.

Voted, That Mark Hunking Geo. Jaffry and Rich$^{d}$ Wibird Esq be of the Trustees from the board to joyn w$^{th}$ so many of the house to receive the five thousand three hundred & eighty four pounds in Equal parts for Exchanging the old out Standing bills according to the tenour of the Act.

Rich. Waldron Cler. Con.

In the House of Represen$^{t}$. Eod$^{m}$ die.

Read and concurred and voted, That Col. Peter Wear, Col. John Plaisted and Maj$^{r}$ John Gillman be the Trustees from this House, to joyn w$^{th}$ those chosen by the Council to receive in equal parts w$^{th}$ them the five thousand three hundred and Eighty four pounds for Exchanging y$^{e}$ old out standing bills according to the tennour of the act.

James Jeffry, Cler. Ass$^{m}$.

Memorand$^{m}$ the other votes past (for the distribution of y$^{e}$ 5384£ afores$^{d}$) yesterday are vacated.

Rich$^{d}$ Waldron, Cler. Con.

A message to the board by Capt. Gillman with the following vote.

In the house of Representatives, 8$^{br}$ 27$^{th}$, 1722.

Voted, That the Sum of five hundred thirty eight

pounds eleven shillings and three pence be delivered into the Treasury of this Province by the Committee that Signed the two thousand [p. 272.] eight hundred pounds, for the payment of the several muster roles, and accounts allowed by the Gen$^{l}$ Assembly, Octob$^{r}$ 26$^{th}$, 1722, and that it be paid to the Several officers named in the Muster Roles, and the Several persons to whom the said accounts are due, and that the Command$^{r}$ in Cheif for the time being be desired to Issue out his warrants accordingly.

James Jeffrey, Cler. Assem.

In Council eod$^{m}$ die.

Read and concurred. Rich$^{d}$ Waldron, Cler. Con.

A message to the board by Mess$^{rs}$ Wiggin and Atkinson, w$^{th}$ y$^{e}$ following votes.

In the House of Represen, 8$^{br}$ 27, 1722.

Voted, That His Excellency the Gov$^{r}$ be presented with one hundred pounds to be paid out of the Treasury for his support in manageing the affairs of the Government To October, 1722. James Jeffrey, Cler. Assem.

In Council Eod$^{m}$ die.

Read and concurred.

Rich$^{d}$ Waldron, Cler. Con.

In The House of Represen. 8$^{br}$ 27, 1722.

Voted, That the Sum of one hundred pounds be presented the Hon$^{ble}$ the Lieut. Gov$^{r}$ for his great care and special Service done the Province, and that it be paid him out of the publick Treasury of this Province.

James Jeffrey, Cler. Assem.

In Council Eodem die.

Read and concurred.

Rich$^{d}$ Waldron, Cler. Con.

In the house of Represen. 8$^{br}$ 27, 1722.

Allowed To Susanna Smal out of the Treasury twenty five Shillings being for y$^{e}$ Expences of Several Comittees in y$^{e}$ last two years. James Jeffrey, Cler. Assem.

In Coun. Eod$^{m}$ die.

Read and concurred.

Rich$^{d}$ Waldron, Cler. Con.

[p. 273.] A message to the board by M$^{r}$ Redman, w$^{th}$ the following votes.

In the house of Representatives, 8$^{br}$ 27, 1722.

Voted, That there be Two Thousand pounds bills of Credit of this Province forthw$^{th}$ impressed and Signed by a Committe to be appointed by both houses, and be by them paid into the Treasury from time to time by order of the Gen$^{l}$ Assembly for defraying the charges of the Government and for a fund to repay the same that it be raised by a Tax on the Inhabitants of this Province, one half in the year 1731, and the other half in the year 1732, and when brought into the Treasury to be burnt to Ashes in presence of the Gen$^{l}$ Assembly, the said bills to be repaid in money or Such Species as shall be agreed upon by the Gen$^{l}$ Assem. from time to time, and that an Act be drawn up accordingly, & that M$^{r}$ Speak$^{r}$ Wear, Col$^{o}$ Jn$^{o}$ Plaisted & Maj$^{r}$ Jn$^{o}$ Gillman be of the Committe of this house to Sign the Same. James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and concurred.

Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen. 8$^{br}$ 27, 1722.

Voted, That Andrew Wiggin, Esq., & M$^{r}$ Theo. Atkinson be of the Commite of this house to joyn with a Committe of the upper house to draw up y$^{e}$ Act for the emitting two thousand pounds now to be drawn.

James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and concurred and Mr Jaffrey & Col. Packor appointed on the part of the board to joyn y$^{e}$ gentlemen afores$^{d}$ for the service aforesaid.

Rich$^{d}$ Waldron, Cler. Con.

[P. 274.] A message to the board by Mess$^{rs}$ Atkinson and Sanburn with the following votes.

In the house of Represent. 8$^{br}$ 27$^{th}$, 1722.

Voted, That the Souldiers belonging to the Castle W$^{m}$ & Mary be paid their respective wages at two several times (viz.) the one half in March the other half in October, and so de anno in annum.

James Jeffrey, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen Oct$^{r}$ 27, 1722.

Voted, That every town shall be supplyed w$^{th}$ a copy of the act relating to Tippling houses in ord$^{r}$ that the same may be published in each town w$^{th}$in this Province, and that the clerk of the council be allowed for the same & paid out of the publick Treasury.

James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die

Read and concurred. Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen. Oct$^{r}$ 27$^{th}$ 1722.

Voted, That four hundred eighty six pounds eight shillings and nine pence be delivered to the Treasurer by the committee that signed the two thousand eight hundred pounds, for payment of the further allowance of Capt. Penhallow's Muster Role, and the Account allowed Mrs Smal, said sum being the ballance of the 2800£ and if any over plus to remain in the Treasury til further ord$^{r}$.

James Jeffry, Cler. Assem.

In Council eod$^{m}$ die.

Read and concurred.

Rich$^{d}$ Waldron, Cler. Con.

[P. 275.] A message to the board by Capt Tibbits, w$^{th}$ the bill entitled an act for striking and emitting a further sum of bills of credit which had been reported to the

house of representatives by the committee appointed to prepare the same, and which had been several times read in the house, and was there passed to be enacted, which said bill was read three times at the board & there also past and ordered to be engrost.

A message to the house of Representatives by the clerk to require their attend[a] at the board. The speak[r] and house came accordingly and then the two bills which were past this session being signed and sealed in presence of the Gen[l] Assembly. (namely)

1[st] an Act to Prevent the Retailing & selling strong drink without license, &

2[d] An Act for striking & emitting a further sum of bills of credit.

His Honour was Pleased to prorogue the Gen[l] Assem & accordingly they were

Prorogued till the tenth day of December next.

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[P. 276.] Pro: N. Hamp[r].

At a Gen[l] Assembly held at Portsmouth by Prorogation Decemb[r] 10[th], 1722.

Present In Council,

His Hon[r] John Wentworth Esq. Lieut. Gov[r]

Sam[l] Penhallow, Mark Hunking, Geo. Jaffry } Esq.

Rich[d] Wibird, Tho[s] Packer } Esq.

A Message to the house of Represent. by Samuel Penhallow and George Jaffry Esq. with a vote of Council for Col[o] Hunking to be Recorder, &c

A Message to the board by Cap[t] Gerrish and Mr. Sanburn wth a Resolve of the house for the Treasu[rs] laying his accounts before them in ord[r] to be adjusted as on file.

George Jaffry Esq. laid before the board a receipt und[r] the hand of Mr. Treasur[r] Penhallow for four hundred eighty nine pounds three shillings Prov: bills paid into the

Treasury (being part of the 2800£) which was ordered to be minuted.

Rich$^{d}$ Wibird Esq. laid before the board a receipt und$^{r}$ Mr Treasu$^{r}$ Penhallows hand for three hundred and thirty one pounds four shillings paid into the Treasury w$^{ch}$ was ordered to be minuted, being part of the 2800£.

A Message to the board by Cap$^{t}$ Gillman, w$^{th}$ the following vote.

In the house of Represen$^{t}$ X$^{br}$ 10$^{th}$, 1722.

Voted, That a committe of this house be chosen to joyn with a committe of the upper house for adjusting the Treas$^{rs}$ accounts before he goes of and That Jn$^{o}$ Plaisted Esq. Cap$^{t}$ W$^{m}$ Fellows, Mr Theo Atkinson, Mr Eph$^{a}$ Dennet and Mr Clerk Jeffry be of the committe from this house for that end, and that an Express be sent his Excell$^{cy}$ to call the assem. immediately to sitt again for adjusting and discharging said accounts.

James Jeffry, Cler. Assem.

[P. 277.] In Council Eod$^{m}$ die.

Read and Concurred and voted That Mark Hunking Geo Jaffry, Rich$^{d}$ Wibird Tho$^{s}$ Packer & the clerk of the Council be of the committe on the part of y$^{e}$ board for the service aforesaid.

Richard Waldron, Cler. Con.

A Message to the house of Represen. by the clerk to require their attend$^{a}$ at the board the speak$^{r}$ and house came accordingly and were then acquainted by His Honour that he had received possitive directions to prorogue or adjourn the Gen$^{l}$ Assembly till y$^{e}$ 20$^{th}$ of Feb$^{ry}$ and therefore could not continue the session to finish the busyness, now und$^{r}$ consideration; but with all that he would Immediately send a dispatch to his Excellency for liberty to meet and sitt on Thursday next to finish the present necessary affairs & therefore desired all the memb$^{rs}$ to be in town at that time that the appointment of a Recorder and the adjustment of the Treasurers accounts might meet no further

impediment. Then His Hon^r was pleased to adjorne the Gen^l Assembly and accordingly they were

Adjorne till the eighteenth day of February next.

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[P. 278.] Pro: N. Hamp^r

At a Council held at Portsm^o X^br 13^th 1722.

Present

His Honour Jn^o Wentworth Esq. Lieu^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffry } Esqs.
Rich^d Wibird, Tho^s Packer } Esq.

Whereas the Gen^l Assembly of this Province stand adjorned to the eighteenth day of Feb^ry next and His majestys service and pressing affairs of this Government require a special sessions at this time Ordered that the Clerk forthw^th give notice to the memb^rs of the house of Represent. to meet and sitt this day at Three oclock afternoon in Gen^l Assem for His Maj^ties Service, and accordingly they were notifyed.

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[P. 278.] Pro: N. Hamp^r

At a special sessions of the Gen^l Assembly held at Portsm^o y^e 13^th Decemb 1722.

His Honour John Wentworth Esq. L^t Gov^r

Sam^l Penhallow, Mark Hunking } Esqs.
Geo: Jaffry, Rich^d Wibird, Thos: Packer } Esqs.

A Message to the board by Cap^t Fellows and M^r Sanburn with the vote of Council sent down the 10^th Instant appointing Col^o Hunking Record^r nonconcurred by the house as on file: by the same message the following vote.

In the house of Represen^t X^br 13^th 1722.

Voted That the Recorder of Deeds for this Province be chosen every Three years at the Spring sessions from the next spring sessions.

James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

[P. 279.] A message to the board by Messrs. Atkinson and Dennet with the following votes.

In the House of Represen$^{t}$ X$^{br}$ 13$^{th}$ 1722.

Voted That Col$^{o}$ Mark Hunking be the Recorder of Deeds for this Province and that all the books of records and files of papers belonging thereto be forth$^{wth}$ delivered into his hands, he giving a receipt for the same and taking an oath for the faithfull discharge of his office.

James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred. Rich$^{d}$ Waldron Cler. Con.

In the House of Represen$^{t}$ X$^{br}$ 13$^{th}$ 1722.

Voted That John Plaisted Esq. Cap$^{t}$ W$^{m}$ Fellows, Mr Eph$^{a}$ Dennet, Jotham Odiorne Esq and Mr Atkinson be of a committee of this house to joyn with a committe of the board to take y$^{e}$ records and files thereto belonging from Mr Record$^{r}$ Penhallow and deliver them Col$^{o}$ Mark Hunking taking his receipt for the same.

James Jeffry Cler. Assem.

In Coun$^{l}$ Eod$^{m}$ die.

Read and concurred and Rich$^{d}$ Wibird & Tho$^{s}$ Packer appointed to joyn the Gentlem$^{n}$ aboves$^{d}$ for ye service above said. Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen$^{t}$ X$^{br}$ 13$^{th}$ 1722.

Voted that the return of the Auditors on Mr Treas$^{r}$ Penhallows acc$^{ts}$ be accepted and the acc$^{ts}$ be allowed.

James Jeffrey, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred Richard Waldron, Cler. Con.

[P. 280.] Memorandum

The Auditors reported that Mr Treasurer Penhallows General Account for the year 1722 was well vouched and

right cast, and that there is due to ballance from the said Treasurer thirty six pounds nineteen shillings as endorsed on the said account on file.

A message to the board by Messrs Downing and Sanburn w$^{th}$ the following vote.

In the House of Represen$^{t}$ X$^{br}$ 13$^{th}$ 1722.

Voted That John Plaisted Esq. Capt William Fellows, Mr Eph$^{a}$ Dennet be of the committe from this house to joyn w$^{th}$ a Committe of the upper house to take the stores that are left in the Treasury, and deliver them the new Treasurer.

James Jeffry, Cler. Assem.

In Council Eodem die.

Read and Concurred. Richard Waldron Cler. Con.

And Coll$^{o}$ Hunking, Mr Wibird and Mr Packer appointed from the board to joyn the Gentlemen above for the service above. Richard Waldron, Cler. Con.

A Message to the house by the clerk To direct their attend$^{a}$ at ye board the Speak$^{r}$ and house came accordingly and then His Hon$^{r}$ was pleased To prorogue them and accordingly they were

Prorogued To the 18$^{th}$ day of Feb$^{ry}$ 1722–3.

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[p. 281.] Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. held at Portsmouth by Prorogation y$^{e}$ 18$^{th}$ day of Feb$^{ry}$ 1722–3.

Present In Council

His Honor John Wentworth Esq. Lieut. Gov$^{r}$

Mark Hunking
Geo: Jaffry
Tho$^{s}$ Packer
} Esqs.

A Message to the house of Represen$^{t}$ by the Clerk to require their attend$^{a}$ at the Council board, the speaker and house came up accordingly & his Honour was pleased to make the following Speech.

*Gent.*

This being the first time I have seen you since his Excellency our Governr Embarked for Great Brittain where I hope he is arrived in safety, and we may expect his return to us again some time in the months of September or October next which I thought proper to communicate to you.

I am sensible that his Excellencys suddain leaving us, had laid me undr some difficulty and the more so since we have a warr upon us.

I promise myself that my Council will at all times and more especially at so critical a juncture as this give me their faithfull advice, and I have no less reason to believe but the house of Represent will give me all aid & assistance for the better and more honourable support of ye Goverm$^{t}$ and so enable me to carry on our proportion of the Indian Warr, which we are now engaged in so as that our neighbours may have no just cause to censure us on that head.

It has been the practice of this Government on several occasions to address His Majty, and I think it much so our duty now, since we have the certain advice of a wicked and bloody conspiracy formed agst His Majesty and His whole Royal Family,—the subversion [p. 282] of our happy constitution both in church and state, but by the good Providence of Almighty God it was timely discovered.

I would put you in mind that the Treasury is empty which is not for the honour or interest of the Government more especially in time of Warr and that there are some few debts due from the Province that ought to have been discharged the last fall and some now due, you may be assured I will take effectual care that the money which comes into the Treasury shall be applyed to the ends it was raised for and no other.

I hope a few days will finish what we have to do at present, the Time of our Spring sessions drawing near, by which time we may expect to hear from Great Brittain which may enable us the better to manage the affairs of the ensuing year.

You may be assured that whatever you offer to me that is in my power to grant for His Majtys service and the good of this Province you shall have my hearty concurrence thereto.

JOHN WENTWORTH.

Adjorned til Tomorrow, 10 o'clock, A. M.

Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem held at Portsm$^{o}$
by adjornm$^{t}$ Feb$^{ry}$ 19$^{th}$ 1722–3.

Present in Council

His Honour John Wentworth Esq. Lieut Gov$^{r}$

Mark Hunking, Geo: Jaffry } Esq. Shad$^{a}$ Walton, Thom$^{s}$ Pack$^{r}$ } Esqs.

Memorand$^{m}$ This day was delivered to the Gen$^{l}$ Assembly by the Grand Committe (for y$^{e}$ fifteen thousand Pounds) three hundred and twenty one pounds which was burnt to ashes in presence of the said Gen$^{l}$ Assembly of which said sum of 321£ the s$^{d}$ Grand Committee are hereby discharged

Rich$^{d}$ Waldron, Cler. Con.

Adjorned til 3 oclock P. M.

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[P. 283.] Prov: N. Hamp.

Mett again according to adjournment.

Present As Before.

A Message to the Board by Capt Gillman and Mr Dennet wi$^{th}$ an answer to His Hon$^{rs}$ Speech as follows.

In the House of Represen$^{t}$ Feb. 19$^{th}$ 1722–3.

May it Please yo$^{r}$ Honour.

His Excellencys affairs calling him over to Great Brittain, We w$^{th}$ pleasure behold your Honour in the Chair Invested with the power of Command$^{r}$ in Chief over the affairs of this Government.

We Assure your Honour that in our Station we shall faithfully aid & assist you at all times and shall readily grant such supplyes as shall be necessary to support the Honour of y$^{e}$ Government and for the discharging all just Debts contracted upon the Government, w$^{th}$ a particular regard to the Indian Warr, So as our neighbours ingaged w$^{th}$ us in y$^{e}$ same warr shall have no reason to complain.

We are Heartily willing to joyn w$^{th}$ your Honour and The Honourable board in a Congratulatory address to His Majesty upon His Wonderfull Deliverance from those Hellish Plotts & Contrivances that were laid for His destruction w$^{th}$ all the Royal Family. We desire yo$^{r}$ Honour would be pleased to order an account of

those debts to be laid before us that are yet unpaid w^th^ an estimate of the contingent charges that may happen between this and the Spring Sessions.

We shall endeavor to dispatch what lyes before us in as short time as the nature of the affairs will allow.

We shall entirely depend upon yo^r^ Honours Prudent care and management in the affairs of the Government and especially the warr & in the Good Improvement and husbanding the Publick Treasure.

PETER WEARE Speak^r^

[P. 284.] A Message to the House of Representatives by the clerk, w^th^ a vote of Council for a committe to prepare the draught of an address to His Majesty.

Humphry Sullivan Preferred a Petition to the board Praying for 50£ to be paid him by y^e^ Town of Dover for his service there as schoolmaster &c. for reasons therein mentioned, w^ch^ Petition being read It was ordered that the select men of Dover be served with a copy of said petition and this order, who are hereby directed to give answer thereto To his Honour the L^t^ Gov^r^ at or before the fifteenth day of March next.

A Message to the board by Maj^r^ Gillman and Capt. Tibbits w^th^ the following vote,

In the house of Representatives Feb^ry^ 19^th^ 1723.

On the petition of James Cate Whereas Jeremiah Lary who was hired by said James Cate to serve in his room to scout the frontiers und^r^ y^e^ Command of Maj^r^ J^no^ Gillman and being omitted in the said Maj^r^ Gillman's Muster Role, prays he may be allowed a centinel's wages for twenty three days service.

Voted that he be allowed centinels wages for twenty three days service, and payed out of the publick Treasury.

James Jeffry, Cler. Assem.

In Council Eod^m^ die.

Read and concurred.

Rich^d^ Waldron, Cler. Con.

Adjorned til to-morrow 10 oclock A : M :

Prov N. Hamp.

At a Gen$^{l}$ Assem$^{y}$ held at Portsm$^{o}$
by adjornment Feb 20$^{th}$, 1722–23.

Present In Counceil

The Hon$^{ble}$ John Wentworth Esq. L$^{t}$ Gov$^{r}$,

Mark Hunking, Geo. Jaffry } Esq. Shad$^{a}$ Walton, Thomas Pack$^{r}$ } Esq.

Mr. Joseph Hewston in behalf of himself and many others late from Ireland, preferred a Petition to the board praying for a Tract of in land to settle upon in the unappropriated parts of this Province.

In Coun.

Granted, That the Petitioners may [p. 285.] look out for a Tract in the unappropriated & unimproved lands of this Province of eight miles square and report the bounds to His Honour in order to be incorporated in May next.

Rich$^{d}$ Waldron Cler. Con.

A Message to the board by Mr Dennet, w$^{th}$ the following vote,

In Council, Feb$^{ry}$ 19$^{th}$ 1722–3.

Voted, That George Jaffry Esq. and the Clerk of the Council be of the Committee from this board to joyn such as may be chosen by the house of Representatives to prepare the draught of an address to His Majesty on His late happy deliverance from a hellish plot &c.

Rich$^{d}$ Waldron Cler. Con.

In the house of Represen$^{t}$ Eod$^{m}$ die

Read and concurred and Voted That Jotham Odiorne Esq. and Capt William Fellows be of the committe of this house to joyn those Gentlemen of the upper house for the end above said.

James Jeffry Cler. Assem.

A Message to the board by Capt Samuel Tibbits and Capt John Gillman, with the following vote.

In House of Represen. Feb. 20$^{th}$ 1722–3.

Voted, That there be signed of the Two Thousand

pounds now ready impressed three hundred pounds and put into the Treasury for paym$^{t}$ of sundry Debts due from the Province and other contingencys that may happen between this and the Spring sessions, and that the Treasurer forth$^{wth}$ call in all the monys and debts due to the Province for Import Export Excise [p. 286.] & Interest that it may be accounted for at the next sessions.

James Jeffry Cler. Assem.

In Coun. Eod$^{m}$ die.

Read and Concurred.

Richard Waldron, Cler. Con.

In the house of Represen. Feb. 20$^{th}$ 1722–3.

Ordered, That Mr. Treasurer Jaffry demand and receive from the late Treasurer Mr Penhallow the ballance of His account made up and due to the Province and that the Present Treasurers Receipt shall be a full discharge to the former treasurer for the same sum.

James Jeffry Esq. Cler. Assem.

In Coun Eodem die.

Read and Concurred.

Richard Waldron Cler. Con.

Geo. Jaffry Esq. Reported to the board a draught of an address to His Majesty w$^{ch}$ was sent down by the clerk and being accepted by both houses was fairly drawn and Given to the Lieut Gov$^{r}$ which is as follows:

To the King's most Excellent Majesty, The humble address of the Lieut Gov$^{r}$ Council and representatives of your Maj$^{tys}$ Province of New Hampshire in New England in America convened in General Assembly.

*Most Gracious Sovereign:*

We your Majestys most loyal & dutifull subjects do unanimously for our selves and in The name of all the people of this Government humbly take leave to prostrate ourselves at your Royal Feet and manifest to your [p. 287.] Majesty our unfeigned and boundless Gratulations for the late seasonable & mercyfull discovery of the blackest and most horrible Tragedy Hell itself could project; by which means your majesty's most sacred Person

and your Illustrious family were delivered from the danger of a bloody masacre and murtherous conspiracy and even the happy constitution of your kingdoms and Dominions both in church and state with your subjects propertys and privileges preserved (from Popish chains and Romish slavery) which were all to be destroyed by the same fatal blow. We adore the Infinite Goodness of the Omniscient on this account, who hath brought to light this dark and deep design and we do unitedly and earnestly pray that the same tender regards of Heaven which hitherto have may ever yet surround your majesty and that the Almighty Arm of y^e^ King of Kings may at all times be stretched out for y^e^ defence of your Majesty against all secret attempts & open violences. That the Crown of Great Brittain may sitt fast and flourish on your majestys head many years yet to come, and that after you shall change this for a Heavenly Crown, the Throne of those Kingdoms may be filled by a Protestant Prince of your most Illustrious family till time shall be no more; and we do also at this time with the Greatest humility beg leave to Testify to your Majesty the abhorrence and detestation we have conceived against a Popish Pretender and His Adherents, and more especially such of them as are your Majestys lawfull subjects, and tyed in subjection not by laws alone, but by the most mild and mercyfull administration that liberty itself could wish for and freedom desire, the Influences whereof have reached y^e^ remotest regions in your Majestys Dominions even this little distant American Province which has rejoyced in y^e^ felicity and Privilege of being your subjects.

And while we are yet addressing We the Council and Representatives [p. 288.] with utmost submission ask liberty To Tender to your Majesty our hearty thanksgiving for your gracious care concerning us in having the chair of this Government from time to time furnished with Governours of known loyalty worth and distinction and at this time by one whose administration has hitherto been and we promise ourselves will continue to be, meritorious of your Majestys smiles and of your peoples prayers for His continuance. We are

May it Please your Majesty
Your Majestys
Most Loyal, Dutifull
and obed^t^ Subjects
Rich^d^ Waldron Cler Con.
P ord^r^ of y^e^ H H^ble^ y^e^ Lt Gov^r^ & Coun.

By order of the House
of Representatives
Peter Wear, Speak^r^.

A Message to the houses by the clerk to require their attendance at the board. The Speaker and house came up accordingly and then His Honour was pleased To Prorogue the General Assembly and accordingly they were

Prorogued
Till the 20th day of May
1723.

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[p. 289.] Pro. N. Hamp.

At a General assembly Held at Portsmouth by Prorogation the 20th day of May, 1723.

Present in Council,

His Honour John Wentworth, Esq. Lt Govr

Mark Hunking, Shadr Walton } Esqs — Richd Wibird, Thos Packer } Esqs

A Message to the House by the Clerk to desire their attendance at the board the Speaker and House came accordingly and his Honour was pleased to make the following speech.

*Gentlemen—*

Its with Great Satisfaction that I meet you at this time, and hope with minds well prepared for the speedy going through what remained of ye last years business, and then pass on those things that concern the Present year.

You may remember that I recommended to you the laying a Tax on the Inhabitants of a thousand pounds in order to lessen our Public Debts. I then told you that the Growing charge of the Province was such that if we did not find out some way for discharging our Debts as we went along, that in time it would bring the burthen to be very heavy which I hope you will Seasonably prevent by taking proper Methods for the lessning thereof.

I did in the Proper Season of ye year provide plank Timber stone and lime at ye cheapest rate I could for repairing His Majesty's Fort Wm & Mary at New Castle, and I hope you will take care to provide for that repair.

I have taken all proper measures to defend our frontier Towns from ye Insults of the Indians by keeping out Small Scouts, which

by y^e^ blessing of God has proved successfull hitherto So that not a man has fallen by the enemy in this Province Since the warr.

[P. 290.] I have with the advice of the field officers sent a small Party of men to Winnepishoky pond und^r^ Command of Cap^t^ John Gillman they are gone twelve days March to that part of the pond where their fishing ware is fixed in ord^r^ to make what discovery they can of the enemy which I hope will have its desired effect.

I am to let you know that I have received a letter from His Excellency our Governour dated in London March y^e^ 6^th^ last past in which he advises me of His Safe arrival there, and that he intended to return to this Country in three or four months, and as he has promised to do every thing in his Power to serve this Province, So I think I should be wanting in my Duty to him, If I did not recommend to your Consideration the usual allowance made him when present w^th^ us.

I would recommend to you that proper care may be taken for the discharging what debts remained due from the Province for the year past and also for y^e^ Present year's expence as the Scouting and going to Winnepishoky pond &c. also that you will take proper care for the Hon^ble^ Support of this His Majesty's Goverm^t^ and if you have anything to offer that is for His Majesty's Service and the Good of this Province you are always sure of my hearty Concurrence.

Jn^o^ Wentworth.

A Copy of the foregoing Speech was Sent down to the House by the Clerk at the request of M^r^ Speak^r^.

Adjorned til 3 o'clock P. M.

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Pro. N. Hamp^re^.

Mett according to adjornm^t^.

Present In Council As Before.

Adjorned Till tomorrow 10 o'clock A. M.

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[P. 291.] Pro. N.Hamp^re^.

At a Gen^l^ Assembly at Portsm^o^ by adjornm^t^ May 21^st^ 1723:

Present In Coun^l^

His Hon^r^ John Wentworth, Esq. Lieu^t^ Gov^r^

Mark Hunking, Shad^a^ Walton } Esqs. Rich^d^ Wibird, Tho^s^ Packer } Esqs.

Mr Josha Pierce Publick Register of Marriages, Births and Burials for the Province represented In writing under his hand that the laws relating to that affair was Imperfect &c. which was read at the board and sent down to the house by the Clerk.

Adjorned til 3 o'clock P. M.

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Pro. N. Hampre

Met according to adjornmt

Present In Counl as Before.

Also George Jaffry Esq.

Richd Wibird Esq. laid before the board a receipt for 302£ 5s wch was ordered to be entered and is as follows.

Received March 4th 1722–3, three hundred and two pounds five Shillings Province bills of the Committe pr Mr Wibird for Supply of the Treasury pr order of the General assembly.

£302 : 5 Pr Geo : Jaffry Treasurer

A Message to the House by Geo : Jaffrey and Richd Wibird Esq with a vote for a Committe of both houses to audit ye Publick accounts &c.

By the Same Message a vote to restrain ye the firing Guns in ye day time during the Present Indian Warr.

Adjorned Till tomorrow 10 o'clock A. M.

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[P. 292.] Pro. H. Hampre

At a Genl Assembly at Portsmo by adjornment May 22d 1723.

Present In Council.

His Honour John Wentworth Esq Leiut Govr

Mark Hunking, Geo : Jaffry, Shada Walton } Esqs

Richd Wibird, Thos Packer, John Frost } Esqs.

A Message to the board by Capt Downing and Capt Fellows with ye Councils vote for a Committe of both houses

to auditt y^e^ publick accounts Sent down yesterday non concurred and a vote of the house for laying all accounts before them for approbation and allowance as on file.

Adjorned till 3 o'clock P. M.

---

Pro. N. Hamp^re^

Met according to adjornment.

Present as Before.

A Message to the board by Messrs Odiorne and Sanborn with a vote as follows.

In the House of Representatives May 22^d^ 1723.

Voted, That Jotham Odiorne Andrew Wiggin Esqs Mr Theo^d^ Atkinson and Mr Eph^a^ Dennet be of the Committe from this house to join with a Committe of the upper house to examine the claims and demands and audit the accounts of all persons to be laid before the Gen^l^ assembly at this Sessions for allowance, and that they make their report as soon as conveniency will permit.

James Jeffry Cler. assem^y^.

In Coun^l^ Eod^m^ die.

Read and Concurred and Voted That Mark Hunking Rich^d^ Wibird and John Frost Esqr be of the Committe from the board for y^e^ Service above.

Richard Waldron Cler Con

[P. 293.] A Message to the board by Cap^t^ Downing and Cap^t^ Tibbits with an answer to His Hon^rs^ Speech as follows.

*May it Please your Honour.*

In your Honours Speech to this house of the twentieth Instant you are pleased to manifest your satisfaction of meeting this house at this time. We heartyly rejoice to See your Honour in the Chair of the Government of this His Majestys Province and shall be as expeditious in any affair that may lay before us as possible.

The Raising one thousand pounds mentioned by your Honour on the Inhabitants within the Province for defraying the charges thereof is what we think very Reasonable and Shall take due care therefor.

As to the Fort W^m & Mary we think a Committe to view what is necessary in order to Its repair might be proper and Shall readyly come into anything thought Reasonable on that head.

We are Sensible of and very thankful To your Honour for your Great care in defending our frontiers by scouts and are of opinion that y^e scout und^r the Command of Cap^t John Gillman as well as those other smaller ones has been very serviceable and Shall cheerfully defray any reasonable charge that has arose thereon.

We rejoice to hear of His Excellencys safe arrival in Great Brittain and shall not fail paying all due regard to his Person and Commission when he returns our Governour.

As to the other affairs Such as defraying the Province Debts already contracted together with a Suitable Provision for the Hon^ble Support of the Governm^t is what will not be forgotten by us.

PETER WEAR Speak^r.

[P. 294.] A Message to the board by Messrs Fellows Downing & Tibbits w^th a vote of the house for a Triennial Election of Assemblymen and for a Committe to prepare the bill &c as on file.

Adjorned till tomorrow 10 o'clock A : M.

---

Pro. N. Hamp^re.

At a General assembly held by adjornment May 23, 1723.

Present In Coun^l

His Honour John Wentworth Esq L^t Gov^r

Geo. Jaffrey, Shad Walton, Rich^d Wibird } Esqs.

Tho^s Packer, John Frost } Esqs.

A Message to the board by Cap^t Tibbits and Mr. Sanborn with the following vote.

In The House of Represen^ts May 23^d 1723.

Voted, That the whole house (excepting the Committe of audit) be a Committe to Joyn a Committe of the upper house to view the Fort William and Mary at New Castle this afternoon and make report thereof to the Gen^l assembly. James Jeffry Cler. assem^ly.

In Council Eod$^{m}$ die.

Read and Concurred and Geo: Jaffry Shad$^{a}$ Walton and Thomas Packer Esq. appointed to Joyn the Gentlemen above for the service above.

Rich$^{d}$ Waldron Cler. Con.

By the Same Message a vote of the house To authorize the Military Commission officers of y$^{e}$ Province to make a By-Law for restraining y$^{e}$ unnecessary firing Guns during the Present Ind$^{n}$ warr as on file.

Joseph Chesley Preferred a Petition to the board directed to the Gen$^{l}$ assembly Praying for an allowance out of the Treasury being wounded in the head by Jn$^{o}$ Davis for reasons therein expressed w$^{ch}$ being read at the board [p. 295.] it was sent down to the house of Representatives by the Clerk.

Adjourned Till tomorrow 10 o'clock A. M.

---

Pro. N. Hampshire

At a Gen$^{l}$ assem by adjournmt May 24$^{th}$ 1723.

Present In Council,

His Hon$^{r}$ John Wentworth, Esq Lieu$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo: Jaffry<br>Shad Walton | Esqs. | Rich$^{d}$ Wibird<br>Tho$^{s}$ Packer<br>Jn$^{o}$ Frost | Esqs. |

A Message to the board by Maj$^{r}$ Gillman w$^{th}$ Joseph Chesleys Petition sent down yesterday voted by the house to be dismissed which was again sent down by Geo: Jaffry Esq to be reconsidered.

Mess$^{rs}$ John Knight John Downing Jun$^{r}$ and Jno Fabyan Preferred a Petition in behalf of Newington Praying for a line and an enlargement &c which was read and sent down to the house by George Jaffry Esq.

Adjorned till 3 o'clock P. M.

Pro. N. Hamp.

Met according to adjournment.

Present as Before.

A Message to the board by Mess^rs^ Fellows and Sanborn with the Petition of Newington sent down in the morning w^th^ y^e^ following vote.

In the House of Represen^ts^ May 24^th^ 1723.

The said Petition being Read, Voted that the Town of Portsm^o^ and Parish of Greenland be served w^th^ Copys of the Petition by the Petitioners and notifyed to answer at the next sitting of the assem^y^ and shew cause if any why the prayer of the Petition may not be granted.

James Jeffry Cler assem.

In Coun^l^ Eod^m^ Die.

Read and Concurred.

Rich^d^ Waldron Cler Con.

[P. 296.] A Message to the House by the Clerk with a vote of Council to Impower the Selectmen in each Town to agree w^th^ a bellman to walk through their Respective towns in the night season and to pay him for it by a Tax on the Inhabitants.

By the same Message another vote of Council for repealing the act Entituled an act to Encourage y^e^ Prosecution of the Indian Enemy and Rebels, and for preparing a bill forthwith by the same title with greater Encouragements &c.

Adjorned til tomorrow 10 o'clock A. M.

---

Pro: N. Hamp^re^.

At a Gen^l^ assembly by adjornment May 25^th^ 1723.

Present In Coun^l^

His Hon^r^ John Wentworth Esq Lieu^t^ Governour

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo: Jaffry<br>Shad^a^ Walton | Esqs | Rich^d^ Wibird<br>Tho^s^ Packer<br>John Frost | Esqs |

A Message to the board by Maj^r^ Gillman & Cap^t^ Gill-

man w^th^ the Petition of Joseph Chesley as on file and vote of allowance thereon as follows

In the House of Representatives, May 25, 1723.

On a rehearing of Joseph Chesleys Petition

Voted, That the Petitoner be allowed fifteen pounds and paid him out of the Publick Treasury.

James Jeffry Cler assem^ly^.

In Council Eod^m^ die.

Read and Concurred.

Richard Waldron Cler. Con.

By the same Message the vote of Council for Repealing the Act Entituled an Act to Encourage the Prosecution of the Indian Enemy and Rebels &c which was Sent down yesterday, concurred w^th^ by the house as on file, Whereupon the Clerk was ordered forthw^th^ to prepare a bill accordingly.

A Message to the board by Maj^r^ Gillman and Cap^t^ Odiorne with the Report of the Committe [p. 297.] appointed to view Fort William and Mary w^th^ the Votes thereon as follows.

We the Committe of both houses agree that the Treasury be Supplyed with one hundred and fifty pounds for the repair of Fort William and Mary to be applyed first to the Platform and y^e^ Remaind^r^ to Stone work.

Peter Wear at y^e^ request of the house

Geo: Jaffry in behalf of y^e^ Committe of Coun^l^

In the House of Represen^t^ May 25^th^ 1723.

Voted, That the above Report be accepted and that a Committe of both houses be chosen to agree with any person or Persons to perform the work at the cheapest rate they can, and that notifications be Sett up in Each Town to give notice for any person or persons to meet Said Committe at the Fort at a day by them therein appointed to agree with them for the same.

James Jeffry Cler assem^ly^.

In the House of Represent[t]
Eod[m] die.

Voted, That Jotham Odiorne John Gillman and John Plaisted Esq be of the Committee of this house to joyn with a Committee of the upper house to agree with Person or Persons to do the work at the Fort according to the above vote and That His Honour the Leiu[t] Gov[r] be desired To Inspect the well-doing thereof.

James Jeffry Cler assem.

In Coun[l] Eod[m] die.

Read and Concurred and Shad[a] Walton, Tho[s] Packer and Jn[o] Frost Esq appointed to joyn y[e] Gentlemen above for the service above.

Rich[d] Waldron Cler Con

Adjorned till Wednesday next y[e] 29[th] Instant.

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[p. 298.] Pro N. Hamp[re]

At a Gen[l] Assem[l] by Adjornment at Portsm[o] May 29[th] 1723.

Present In Coun[l]

His Honour John Wentworth Esq Lieu[t] Gov[r]

Mark Hunking,
Rich[d] Wibird
Tho[s] Packer
} Esqs

Adjorned til 3 o'clock p. m.

---

Pro: N. Hampshire.

Met according To Adjornment.

Present as Before also

Geo: Jaffry
Shad[a] Walton
Jn[o] Frost
} Esqs

The Clerk of the Council laid before y[e] board a bill which he was ordered to prepare y[e] 25[th] Instant Entituled *an Act to Encourage the Prosecution of the Indian Enemy &*

*Rebels and to Repeal an Act of the Same Title made and past ye first day of September*, 1722, which was read and Sent down to the house of Representatives by Geo. Jaffrey & Rich[d] Wibird Esq[s].

A Message to the House by the Clerk with a Vote of Council to Impower and require of Selectmen in their respective towns to pay for such oxen and implements as shall be Impressed by the Surveyors for repairing highways &c.

A Message to the board by Mess[rs] Davis, Atkinson and Fellows to Conferr upon some clauses of the bill Entituled an Act to Encourage the Prosecution of the Ind[n] &c in order to have some amendments &c.

By the same Message an Inquiery from the House whether the Council had passed upon the vote of the Representatives sent up y[e] 22[d] Instant for a Triennial Election of assemblymen. To which His Hon[r] Replyed he had discoursed Several Members of the house on that head and Thought they had acquainted the house w[th] his mind in that matter.

Adjorned til tomorrow 10 A. M.

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[P. 299.] Pro. N. Hamp[re]

At a Gen[l] Assem[l] by Adjornm[t]
May 30[th] 1723.

Present In Coun[l]

His Hon[r] John Wentworth Esq Lt Gov[r]

Mark Hunking, Geo. Jaffry, Shad[a] Walton } Esqs
Rich[d] Wibird, Tho[s] Packer, John Frost } Esqs

Adjorned til 3 o'clock P. M.

---

Pro N. Hampshire.

Met according to adjornment.

Present as Before.

A Message to the board by Maj[r] Gillman and Cap[t] Tib-

bits with Sundry accounts and claims upon the Province as on file and The Com'itte of audits report thereon as follows.

We the Subscribers being appointed a Committe to audit the accounts &c of the said Province Do make return as follows (viz$^{t}$)

| | | | |
|---|---|---|---|
| No 1. an Acc$^{t}$ by Col$^{o}$ Davis for Runing the Province line dismissed being paid by M$^{r}$ Treasurer Penhallow as pr his account 1722. | | | |
| No 2. an Act Signed John Robinson for work &c on Fort W$^{m}$ and Mary am$^{o}$ to 97£ 3s 20£ being paid pr M$^{r}$ Penhallow as pr his account and 15s being overcharged in his acc$^{t}$ of labour, allowed, | £76. | 8. | |
| N$^{o}$ 3 John Roberts his acc$^{t}$ for Gondela hire &c am$^{o}$ to 7£ 16s, 9s overcharged, allowed, | 7. | 7. | |
| N$^{o}$ 4 Susanna Smals acc$^{t}$ for expences &c. allowed | 5. | 1. | 9 |
| N$^{o}$ 5 Benj$^{a}$ Acremans acc$^{t}$ for atten$^{a}$ & express to Boston: y$^{e}$ Ball$^{ce}$ allowed. | 10. | | |
| N$^{o}$ 6 Jethro Person acc$^{t}$ for work done at Fort W$^{m}$ and Mary am$^{o}$ 7£ for 28 days labour allowed | 6. | 6. | |
| N$^{o}$ 7 Rob$^{t}$ Coates acc$^{t}$ for Sundry disbursm$^{ts}$ on Fort W$^{m}$ and Mary and y$^{e}$ Men that worked am$^{o}$ to 17£ 14s allowed | 17. | 2. | |
| [p. 300.] N$^{o}$ 8 A Muster Role Signed James Nock for Scouting am$^{o}$ to 47£ 12s allowed | 47. | 12. | |
| N$^{o}$ 9 Ditto Signed Joseph Beard am$^{o}$ to 14£ 8s Examined and find it right cast but not sworn to when done allowed | 14. | 8. | |
| N$^{o}$ 10 Ditto John Gillman am$^{o}$ 54£ 13 days am$^{o}$ to £59 15s 1d allowed | 59. | 15. | 1 |
| N$^{o}$ 11 an Acc$^{t}$ Signed Rich$^{d}$ Perry for Iron Work &c at Fort W$^{m}$ and Mary allowed | 15. | 16. | 5 |
| N$^{o}$ 12 An acc$^{t}$ Signed Edward Toogood for himself and others allowed as follows (viz) Himself and Servant | 19. | 5. | 6 |
| John Clark | 4. | 0. | 0 |
| John Grunday | 5. | 5. | |
| Thomas Wilkinson | 5. | 3. | 6 |
| N$^{o}$ 13 an account Signed Thom$^{s}$ Packer for house rent fireing and Candles 15£ and 2£ for visiting two vessels and also another acc$^{t}$ for Medicines &c am$^{o}$ to 5$^{lb}$ —. 6d We allow as follows (viz) | | | |
| For house rent fireing &c as pr Establishm$^{t}$ | 11. | | |

For Visiting two vessels 2 days 1.
and for the acc$^{t}$ of 5£. —. 6d we refer it to the assembly
N$^{o}$ 14 A Muster Role for a Scout und$^{r}$ y$^{e}$ Command of Lieu$^{t}$ Jn$^{o}$ Lad Sign'd by Maj$^{r}$ Gillman allowed 21. 10.
N$^{o}$ 14 an acc$^{t}$ Signed Rich$^{d}$ Waldron for Service as Cler: Con: &c referred to y$^{e}$ assem$^{l}$.
N$^{o}$ 15 Muster Role Signed Joseph Beard dismist being voluntiers that went out on y$^{e}$ bounty act
N$^{o}$ 16 an act Signed Benj$^{a}$ Gambling for Service as Sherriff am$^{o}$ to 18£ 3s. allowed 12. 14.
N$^{o}$ 17 an acc$^{t}$ Signed Clem$^{t}$ Hughes Collect$^{r}$ of Excise adjusted & due to y$^{e}$ Prov: £18. 16. 6
N$^{o}$ 18 An acc$^{t}$ Signed James Langley for getting Stones for the fort &c am$^{o}$ To 4. 10.
N$^{o}$ 19 an account Signed Geo Pierce for Iron Work for the fort &c am$^{o}$ 12£ 13s allowed 12. 8.
N$^{o}$ 20 an acc$^{t}$ Signed Geo Vaughan for his Sallary at the Fort am$^{o}$ to 118£ 10s dismissed. [p. 301.] He having rendered no account of the money and Powder Rec$^{d}$ on account of the Province when he was Commander of the Fort.
N$^{o}$ 21 an acc$^{t}$ Signed James Jeffrey for drawing a map of the Province &c am$^{o}$ £3. 10 allowed 2.
N$^{o}$ 22. A Muster Role Signed Jon$^{a}$ Chesley am$^{o}$ To £15. 9. 3. Dismissed for y$^{e}$ reasons given ag$^{st}$ Beards Muster Role.

We the Subscribers being appointed a Committe to audit the claims and accounts of the Province do make our Report as above having Examined the Several Particulars in the Several accounts brought in to us. May 25, 1723.

Jotham Odiorne
And$^{w}$ Wiggin
Eph: Dennet
Theo: Atkinson
Mark Hunking
Rich$^{d}$ Wibird
John Frost

In the House of Represen$^{t}$ May 30$^{th}$ 1723.

Voted, That the Return of the Committe of audit be accepted as carryed of ag$^{st}$ the Persons names and that M$^{r}$ Clerk Waldron be allowed the Sum of seventy pounds in full of His account and that James Jeffry have thirty shillings allowed him more than is carryed of, and that Col. Packer's account of the box and medicines and Instruments

lye und[r] consideration til next sessions and that the box be ordered to be returned, and what is wanting to be made good, and that Col. Davis's lye according to the vote upon it.

James Jeffry Cler assem.

In Coun[l] Eod[m] die

Read and Concurred Rich[d] Waldron Cler Con.

[P. 302.] By the Message which brought up the Committe of Audits report the acc[t] of M[r] Fellows as on file, w[th] a vote thereon as follows.

In the House of Represen[t] May 30[th] 1723.

Voted, That Cap[t] William Fellows be allowed and paid out of the Publick Treasury the Sum of four pounds nine shillings and one penny In full of His account.

James Jeffry Cler assem.

In Coun[l] Eod[m] die

Read and Concurred.

Rich[d] Waldron Cler Con.

A Message to the house by the Clerk To Inquire whether they had passed upon the votes of Council Namely Respecting a bellman sent down y[e] 24[th] Instant: and for Selectmens paying for oxen to repair highways sent down yesterday.

Adjorned til tomorrow 10 o'clock A. M.

---

Pro. N. Hamp[re]

At a Gen[l] Assembly by adjornment May 31[st] 1723.

Present In Council

His Honour John Wentworth Esq L[t] Gov[r]

Mark Hunking, Geo: Jaffry, Shad[a] Walton } Esqs. Rich[d] Wibird, Thom[s] Packer } Esqs.

A Message to the board by Cap[t] Downing & Cap[t] Gillman w[th] the votes of Council ab[t] the bellman, and paying for Impressed oxen to repair highways both non concurred.

By the same Message the following vote.

In the House of Represent May 30th 1723.

Voted, That the house of Mr Theodre Atkinson at New Castle where John Wilson now liveth be a licensed house the Person living therein giving security for good orders as usual and paying Excise.

James Jeffry, Cler assem.

[P. 303.] In Council eodm die.

Read and Concurred.

Richard Waldron Cler Con.

A Message to the board by Messrs Atkinson and Dennet with the following vote.

In the House of Represent May 31st 1723.

Voted, That there be a Tax of one thousd pounds laid on the Inhabitants of this Province and that it be brought into the Treasury by the middle of January next in mony and that it Shall be applyed for discharging the Support of the Government as the General assembly Shall ordr.

James Jeffry Cler assem.

In Council Eodm die.

Read and Concurred.

Richard Waldron Cler. Con.

Adjorned til 3 o'clock P. M.

---

Pro. N. Hampre

Met according to adjornment.

Present In Council As Before.

A Message to the House from the Honourable the Lieut Governour by Mark Hunking Geo. Jaffry and Shada Walton Esqs to communicate to them some part of a letter which he had received from Mr agent Newman relating to ye publick affairs of this Province, and to Recommend his good services to them, and to desire their Consideration thereof, and honourable allowance to him for the same.

A Message to the board by Messrs Odiorne and Sanborn wth the following vote.

In the House of Represen$^{t}$.

Voted, That John Gillman And$^{w}$ Wiggins Samuel Easman Esq$^{s}$ M$^{r}$ Theo. Atkinson, M$^{r}$ [P. 304.] Jn$^{o}$ Sanborn, Cap$^{t}$ Samuel Tibbits, Cap$^{t}$ Jn$^{o}$ Downing M$^{r}$ Eph$^{a}$ Dennet be a Committe of this house to joyn with a Committe of the upper house to draw a scheme for the Proportions of the Several towns in this Province for the Province Taxes.

James Jeffry Cler assem.

In Coun$^{l}$ May 31$^{st}$ 1723.

Voted, The Gentlemen above mentioned be the Committe in behalf of the board as well as for the house and that they prepare and lay the Said Scheme before the Gen$^{l}$ assembly at the next Sessions.

Rich$^{d}$ Waldron Cler. Con.

A Message to the board by Mess$^{rs}$ Tibbets and Gillman w$^{th}$ the following vote.

In the House of Represent May 31$^{st}$ 1723.

Voted, That Jotham Odiorne, Andrew Wiggin Esq$^{s}$ M$^{r}$ Theo: Atkinson and M$^{r}$ Eph$^{a}$ Dennet be of the Committe of this House to Joyn w$^{th}$ a Committe of the upper house to draw the act for Receiving one thousand pounds on the Inhabitants of this Province this year according to the vote of this day. James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred, and Mark Hunking Shad$^{a}$ Walton, Rich$^{d}$ Wibird and Tho$^{s}$ Packer Esq appointed to Joyn the Gentlem$^{n}$ above for the service above.

Rich$^{d}$ Waldron, Cler. Con.

A Message to the board by Col Davis w$^{th}$ the bill Entituled an Act to Encourage the Prosecution of the Ind$^{n}$ Enemy and Rebels &c which had been passed upon in the house and voted to be Enacted and the Same having had its several readings at the board was past and ordered to be engrossed.

Adjorned till to-morrow 9 a clock A. M.

[P. 305.] Pro. N. Hamp^re.

At a Gen^l Assem^l at Portsm^o by adjornment June 1^st 1723.

Present In Council

His Hon^r John Wentworth Esq Leiut Gov^r

Mark Hunking, Geo: Jaffry, Shad^a Walton } Esq

Rich^d Wibird, Tho^s Packer, John Frost } Esq

John Underwood Preferred a Petition to the board praying that his house at N. Castle might be licensed a Publick house for reasons there in Expressed which was read and sent down pr the Clerk.

Col Waldron Preferred a Petition to the board Signed by himself, Benj^a Wentworth and Nicholas Harford Selectmen of Dover Praying that a Committe may be appointed to Survey Lamprey river in order to find out a Convenient place to build a new bridge across said river for Reasons therein Expressed. The Council Voted to Grant y^e Prayer and sent down the Petition and Vote by John Frost Esq.

A Message to the board by Cap^t Tibbits and M^r Sanborn w^th M^r Underwoods petition as on file and votes thereon as follow.

In the House of Represent June 1^st 1723.

Voted, That the prayer of the Petition be granted the Person living in said house yearly according to the usual custome producing his certificate for good orders to the Sessions and paying his Excise.

James Jeffry, Cler assem.

In Council Eod^m die.

Read and Concurred during the Petitioners life upon Condition he pay his excise and keep due orders according to law and not otherwise.

Richard Waldron Cler Con.

By the same Message the acc^t of Maj^r Gillman as on file the ball^ce due to him as allowed [P. 306.] by the Committe of audit being £5 16s w^th the vote thereon as follows

In the House of Represent May 31st 1723.

Voted, the above acct be accepted and allowed.

James Jeffry Cler assem.

In Counl June 1st 1723.

Read and Concurred.

Richd Waldron Cler Con.

A Message to the board by Mr Dennet wth the Petition of the Selectmen of Dover Sent down pr Mr Frost as on file wth the votes thereon as follow.

In Council June 1st 1723.

Voted, That Six Indifferent Persons be chosen a Committe to Survey Lamprey River and Report to His Honour the Lieut Govr and Council as soon as conveniency will permit ye most commodious place for building a bridge across Said River, and That Col Walton Mr Edwr Ayres & Mr Benja Thomas be three of the Committe to Joyn wth the Gentlemen whom the house shall appoint.

Richd Waldron Cler Con.

In the House of Represent Eodm die.

Voted, a Concurrence wth the above vote (with this Proviso) that the Petitioners pay the Charges of the Committe and That Colo Peter Wear Colo John Plaisted Esq and Mr Wm Moor be three of the Committe for the End aforesaid.

James Jeffry Cler assem.

A Message to the board by Messrs Atkinson and Tibbits wth the following votes.

In the House of Represent June 1st 1723.

Voted, That the Postmaster General be allowed and paid out of the Treasury the Sum [p. 307.] of three pounds For Expediting the Public letters for His Majesty's Service free.

James Jeffry, Cler assem.

In Counl Eodm die.

Read and Concurred.

Richd Waldron Cler. Con.

Endorsed on Axwel Roberts acc$^{t}$ am$^{o}$ to 3£ 17. 4 as follows y$^{e}$ s$^{d}$ acc$^{t}$ is on file.

In the House of Represent June 1$^{st}$ 1723.

Voted, That Axwel Roberts be allowed and paid out of the Publick Treasury the Sum of two pounds, sixteen Shillings in full of His acc$^{t}$ Provided That M$^{rs}$ Roberts make oath that She never Received anything, from the Mass$^{a}$ or the Ind$^{n}$ or M$^{r}$ Bane towards the Payment of the Sum therein mentioned.

James Jeffry, Cler. Assem.

In Council Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con.

In The House of Represent.

June 1$^{st}$ 1723.

Allowed Doct$^{r}$ [John] Crosby for administering to the men und$^{r}$ Cap$^{t}$ Gillman's Command as pr his acc$^{t}$ on file £1. 12. 11

James Jeffry Cler. assem.

In Coun$^{l}$ Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

In the House of Represen$^{t}$ June 1$^{st}$ 1723.

Voted, That His Honour The Lieu$^{t}$ Gov$^{r}$ having the whole burthen of this Government as Command$^{r}$ in Chief devolved upon him, be presented w$^{th}$ the Sum of one hundred pounds for His Extraordinary Service done the Government, and To be paid out of the publick Treasury.

James Jeffry, Cler. assem.

In Coun$^{l}$ Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

[p. 308.] A Message to the board by Mr Dennet with the following vote.

In the House of Represen$^{t}$ June 1$^{st}$ 1723.

Voted, That there be signed of the two Thousand pounds now ready Imprest nine hundred pounds and put into the Public Treasury for the payment of the Sundry Debts now allowed and due from the Province and other Contingencys that may happen betwixt this and the fall Sessions and that His Honour The Lieut Gov$^{r}$ be desired to Issue out warrants for the payment of the respective Sums now allowed to be due.

James Jeffry Cler assem.

In Coun$^{l}$ Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con.

A Message to the board by Cap$^{t}$ Tibbits w$^{th}$ a vote of the house for the lead$^{rs}$ of y$^{e}$ Scouts now going out to have Sargents pay, the said vote was sent down by M$^{r}$ Jaffry and Col$^{o}$ Walton, who were directed to Reccommend Leiutenants Pay instead of Sargents. y$^{e}$ house returned the vote to the board w$^{th}$ an addition (viz.) That they had Reconsidered it and adhered to it, as on file.

A Message to the board by M$^{r}$ Redman w$^{th}$ a bill Entituled An Act To Levy a Tax of one thousand pounds on y$^{e}$ Poles and Estates within this Province, which had been read and Past to be Enacted in the house. The Same had Its readings at the board and was ordered to be Ingross'd Immediately.

A Message To the House by the Clerk to require their attend$^{a}$ at the board the Speaker and house came accordingly and Then the two bills being again read in presence of y$^{e}$ Gen$^{l}$ assem$^{l}$ were Signed and Sealed namely,

1. an act To Encourage y$^{e}$ Prosecution of the Ind$^{n}$ Enemy & rebels and to Repeal an act of the same title made & past y$^{e}$ 1$^{st}$ day of 7$^{br}$ 1722.

2. an act To Levy a Tax of one thousand pounds on The Poles & Estates w$^{th}$in this Province.

After which His Hon$^{r}$ was pleased to Prorogue the Gen$^{l}$

assem[l] and accordingly in His Majesty's name they were Progued til Tuesday y[e] 10[th] day of 7[br] next, further Progued til y[e] 19[th] November next.

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[P. 309.] Pro: of N. Hamp[re].

At a General assembly held at Portsmouth by prorogation November 19[th] 1723.

Present In Council,

His Honour John Wentworth Esq L[t] Gov[r]

| | | | |
|---|---|---|---|
| Sam[l] Penhallow | | Shad[a] Walton | |
| Mark Hunking | Esq | Rich[d] Wibird | Esq |
| Geo: Jaffry | | Arch[d] M[c]pheadris | |

John Frost Esq.

Adjorned til 3 o'clock P. M.

---

Pro: N. Hamp[re].

Met according to adjornment

Present as Before.

A Message to the house by Mess[rs] Jaffry & Wibird and y[e] Clerk to adjorn them Till tomorrow 10 oclock A. M.

---

Pro: N. Hamp[re]

At a General assembly held at Portsmouth by adjornment November 20[th] 1723.

Present In Council

His Honour John Wentworth Esq L[t] Gov[r]

| | | | |
|---|---|---|---|
| Sam[l] Penhallow | | Shad[a] Walton | |
| Mark Hunking | Esqs | Rich[d] Wibird | Esqs |
| Geo. Jaffry | | Arch[d] M[c]pheadris | |

A message to the board by Cap[t] Gillman to acquaint His Honour that The house had chosen a Speaker pro tempore (M[r] Speaker Wear not being come to Town) & that they were ready to enter upon the business of the Sessions.

A Message to the house by the Clerk to require their attendance at the board the Speaker and house came up

accordingly to whom his Honour made a Speech, a Copy of which was (at y^e^ desire of y^e^ Speak^r^) delivered unto him & is as follows.

*Gentlemen*,

I have deferr'd y^e^ Setting of y^e^ fall Sessions for some time that so I might lay before you the Muster Roles with y^e^ whole Expence of y^e^ Summer past.

[P. 310.] The Charge in defending our frontiers has been considerable and altho we have not had the wished for Success against our Enemys yet we have in some measure answered our expectations in that the enemy has not made those breaches upon us which we might have reasonably expected had we been careless and secure.

I Promise myself that you will make the necessary provision for Enabling M^r^ Treasurer to pay of the just demands due from the Province an account of which I have order'd to be laid before you.

We are wel assured that our bills of Credit are Counterfeited, and that our neighbouring Governments have deteckd some of the offenders. I think it is a matter well worthy of our consideration and wherein our Laws are deficient let us strengthen them or Pass new laws for the Prevention of So great an Evil.

I have received Several letters from His Excellency Gov^r^ Shute since our last sitting assuring me that he will do his Utmost endeavors and everything in his power to Serve this Province and particularly in getting the lines Settled and His Majesty's bounty to Fort William and Mary.

M^r^ Agent Newman writes me much to the same purport with this addition that he had just then made an Interest w^th^ M^r^ De Le Fay Secretary to the Lords Justices for obtaining the more speedy answer to his Memorial. the letter bears date aug^st^ 23^d^ last past also that he had wrote to M^r^ Speaker Wear by same conveyance which Judge M^r^ Speaker will communicate to your house.

We have not done what was design'd as to the stone work of the Fort occasioned by y^e^ war but the timber work is all finish'd and in good order designing early in the Spring to proceed on the stone work.

I Promise myself that you will stil take care for y^e^ Hon^ble^ support of this His Majesty's Government where you Shall find me both ready and willing to serve my King and Country to the Utmost of my Power.

J WENTWORTH

His Honour The Lieu$^{t}$ Gov$^{r}$ read to y$^{e}$ Speak$^{r}$ and house a Paragraph of a letter (which he told them he had received from Gov$^{r}$ Shute) acquainting him that M$^{r}$ Penhallow had been at some [p. 311.] Expence in England for the Province service and ought to be Considered for it.

In Council

Ordered, That Cap$^{t}$ Joshua Weeks be paid fourteen Shillings and five pence out of the treasury for Provisions procured by him for y$^{e}$ souldiery by y$^{e}$ Lu't Gov$^{r}$ order for His Maj$^{tys}$ service last year.

Rich$^{d}$ Waldron Cler. Con.

Adjourned till 3 o'clock, P. M.

---

Pro. N. Hamp$^{re}$. Met according to adjornm$^{t}$

Present as Before.

A Message to the board by Mess$^{rs}$ Odiorne and Gillman Praying his Honour to direct the Muster Roles forthw$^{th}$ to be laid before the house and likewise desiring the treasurers accounts to be laid before them.

Mess$^{rs}$ Downing, Knight and Fabyan Pray'd liberty to withdraw their Petition Preferred ye 24$^{th}$ of May last in behalf of ye Destrict of Newington accordingly Ordered That y$^{e}$ S'd Petition be dismissed & y$^{t}$ the partys may depart. Rich$^{d}$ Waldron Cler Con.

Adjorned till tomorrow, 10 o'clock A. M.

---

Pro. N. Hamp$^{r}$.

At a General assembly held at Portsmouth by adjornm$^{t}$ Nov$^{r}$ 21$^{st}$ 1723.

Present In Council

His Hon$^{r}$ John Wentworth Esq Lieu$^{t}$ Gov$^{r}$

Samuel Penhallow, Mark Hunking, Geo: Jaffry } Esq

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Arch$^{d}$ Mcpheadris } Esq$^{s}$

John Frost Esq.

Rich$^{d}$ Wibird Esq Presented a receipt to the board und$^{r}$ the hand of M$^{r}$ Treasurer Jaffry which was ordered to be entered and is as follows.

Pursuant to an order of Gen$^{l}$ Assembly June 1$^{st}$ 1723 Received of the Committe for Signing bills of Credit y$^{e}$ sum of eight hundred and ninety nine pounds eight shillings June 25$^{th}$ 1723

£899. 8 pr Geo : Jaffry Treasurer

[P. 312.] A Message To y$^{e}$ board by Cap$^{t}$ Tibbits w$^{th}$ y$^{e}$ following vote.

In the house of Representatives.

Nov$^{r}$ 21$^{st}$ 1723.

Voted, That James Davis andrew Wiggin Esq$^{s}$ & Cap$^{t}$ W$^{m}$ Fellows be of the Committe of this house to joyn w$^{th}$ a Committe of the upper house to audit the accounts of the Muster Roles and other accounts brought in this Sessions.

James Jeffry Cler: assem

In Coun$^{l}$ Eodem die.

Read and Concurred and Rich$^{d}$ Wibird arch$^{a}$ M$^{c}$pheadris and Jn$^{o}$ Frost Esq$^{re}$ appointed to Joyn w$^{th}$ y$^{e}$ Gentlemen above for the service above.

Rich$^{d}$ Waldron, Cler. Con.

A Message to the house by Sam$^{l}$ Penhallow and Shad$^{a}$ Walton Esq$^{s}$ with a vote for reviveing y$^{e}$ Excise act &c and to recommend to the house The Consideration of Lamprey river bridge

Adjorned Till 3 a clock P. M.

---

Pro. N. Hamp$^{re}$.

Met according to adjornm$^{t}$

Present as before.

A Message to the house by the Clerk w$^{th}$ the Petition of Thomas Leavit and others which was ordered to be heard this day, the same being read in the house was return'd to the board by Col$^{o}$ Davis and M$^{r}$ Fellows who acquainted His

Honour they were ready to attend the hearing. Then the house were directed by y^e^ Clerk to give their attendance at y^e^ board and y^e^ Speaker and house Came up accordingly and all Partys being Present The agents for Kingston moved to have y^e^ hearing Suspended til tomorrow, and accordingly It is suspended til tomorrow 3 oclock afternoon.

His Honour Ordered to be read to y^e^ Speak^r^ and house a Copy of M^r^ Agent Newman's Memorial for Stores for Fort William and Mary and Part of a letter which he had received from the said M^r^ Newman respecting the same. Then the speak^r^ & house withdrew.

A Message to y^e^ house by Shad^a^ Walton & Jn^o^ Frost Esq^s^ To recommend to them y^e^ Passing an act in addition to y^e^ act ab^t^ Fish.

Adjorned Till Tomorrow 10 o clock A. M.

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[P. 313.] Pro. N. Hamp^re^.

At a General assem held at Portsm^o^
by adjornm^t^ 9^br^ 22^d^ 1723.

Present In Coun^l^

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo. Jaffry } Esqs.
Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ M^c^Pheadris } Esqs.

John Frost Esq.

Robert Auchmaty Esq Preferred a Petition in behalf of Rich^d^ Hilton Esq Praying for a Special act to enable y^e^ S^d^ Hilton to bring forward an action before y^e^ Gov^r^ and Council ag^st^ Mrs Mary Brown &c which was read & sent down to the house of representatives pr the Clerk.

Adjorned til 3 o'clock P. M.

---

Pro. N. Hamp^re^

Mett according to adjornment.

Present as Before.

A Message to the house by the Clerk to require their attend[a] at the board the Speaker and house came up accordingly upon y[e] hearing of y[e] Petition of Thomas Leavit and others and the Petitioners & respondents being Present and fully heard the Partys withdrew and y[e] Speaker and house retired to their own Chamb[r] to Consider of the Premises.

Adjorned til tomorrow 10 o'clock A. M.

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At a General Assembly held at Portsmouth by adjornment Nov[r] 23[d] 1723.

Present in Council

L[t] Gov[r] Wentworth.

Saml Penhallow, Mark Hunking, George Jaffrey } Esqs

Shad[a] Walton, Rich[d] Wibird, Arch[a] M[c]pheadris } Esqs

Jn[o] Frost Esq

Adjorned til y[e] 25[th] Instant 10 o'clock A. M.

---

Pro. N. Hamp[re]

At a General Assembly held at Portsm[o] by adjornment Nov[r] 25 1723.

Present in Council

His Hon[r] John Wentworth Esq. Lt. Gov[r]

Samuel Penhallow, Mark Hunking, Geo: Jaffrey } Esq

Shad[a] Walton, Arch[d] M[c]pheadris } Esqs

[P. 314.] A Message to the house by Col[o] Walton with a Vote of Coun[l] for dismissing y[e] Petition of Thomas Leavit and others.

A Message to the board by Mess[rs] Odiorne and Downing w[th] a Petition of Nathan Longfellow Praying for an allowance out of y[e] Treasury for his being Imprison'd and oblidged to attend Several Courts in y[e] County of Essex for distraining a rate from And[w] Greele a borderer on the Divisional line of the two Provinces &c w[th] a vote thereon the Petition is on file and y[e] vote as follows.

In The House of Represen$^{t}$ Nov$^{a}$ 23 1723.

Voted, That the Said Longfellow the Petitioner be allowed and paid out of the Treasury the sum of Seven pounds in full of all he can demand for anything or damage he Sustained as in the Petition.

James Jeffry Cler. Assem.

In Council Nov 25$^{th}$ 1723.

Read and Concurred.

Rich$^{d}$ Waldron, Cler. Con.

By the same Message Came up the following vote.

In Council Nov$^{r}$ 25$^{th}$ 1723

Voted (nemine Contradicente) That the Pet'ion of Thomas Leavit and others heard before y$^{e}$ Gen$^{l}$ assem$^{l}$ y$^{e}$ 22$^{d}$ Instant be dismist and that the Petitioners pay Costs.

Rich$^{d}$ Waldron Cler. Con.

Eod$^{m}$ die. Read in the house of Representatives & Concurr'd w$^{th}$ this amendment (Viz) that each party pay his own Costs.

James Jeffrey, Cler. Assem.

In Council Eod$^{m}$ die

Read and Concurred w$^{th}$ the amendment

Rich$^{d}$ Waldron, Cler. Con.

By the same Message a Vote of y$^{e}$ house for Preparing a bill for a Triennial Election of assembly men.

Adjorn'd til tomorrow 10 o'clock A. M.

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[P. 315.] Pro.N. Hamp$^{re}$

At a General assembly held at Portsmouth by adjornm$^{t}$ Nov$^{r}$ 26$^{th}$ 1723.

Present In Council

His Honour John Wentworth Esq. Lt. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{re}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Arch Mcphreadis } Esq$^{re}$

John Frost Esq$^{re}$

A Message to the board by Sam[l] Easman Esq and Cap[t] Gillman w[th] a vote of the house for repealing all the laws that were past before the year 1719 that are not Printed.

A Message to the house by George Jaffry and John Frost Esq[re] w[th] the vote of the house Sent up yesterday for preparing a bill respecting a triennial election of assembly men to be reconsidered.

By the same Message the Gov[r] Instructions were sent down w[th] an ord[r] that one Paragraph of them (forbiding y[e] Gov[r] to assent to any act of an unusual and Extraordinary Nature) Should be read to the house &c.

Jacob Smith Pray'd a Consideration for a Saddle prest from him last year & never return'd upon which

A Message to the board by Maj[r] Gillman with the following vote

In The house of Represent Nov[r] 26 1723.

Voted, an allowance of twenty five Shillings to be paid out of y[e] Treasury.

James Jeffry Cler Assem.

In Coun[l] Eod[m] die

Read and Concurred.

Rich[d] Waldron Cler Con.

A Message to the house by George Jaffry Esq w[th] a vote of Council respecting the Parishes at Portsm[o] which was Immediately return'd by Cap[t] Downing and Cap[t] Tibbits and is as follows

Whereas in The act of Gen[l] assembly of y[e] 27[th] of May 1720 Impowering each Parish in Portsm[o] to lay a Tax for the Support of the Ministry The name of the reverend M[r] Rogers [p. 316.] who is now dead is mentioned without respect to his Successor.

In Council Novemb[r] 26[th] 1723.

Voted, That in addition to S'[d] act the Successive Ministers in Each Parish may be inserted

Rich[d] Waldron Cler: Con

In the House of Represent Eodm die
Read and Concurred

James Jeffry Cler. Assem

By The same Message came up a vote for a Triennial assembly which was Concurred & then a Committe appointed to prepare the bill & Sent down by ye Clerk.

A Message to the house by Colo Walton with a vote of Council Prohibiting hoggs going at large in some part of ye Town of Portsmouth and New Castle.

A Message to the house to reccommend to them by Saml Penhallow and Richd Wibird Esqre the affair of Lamprey river bridge &c

A Message to the board by Messrs Dennet and Tibbits wth the following Votes.

In the House of Represent Novr 26th 1723.

Voted, That no assembly or lower house of Representatives of this Province shall have any longer Continuance than three years from the time of their being first call'd and qualifyed, and that there Shall be ten days (at lest) between the date of the writs for Electing them & the time of their being Chosen (unless upon Extraordinary emergencys) and that an act be drawn up accordingly. The Execution thereof being deferred and Suspended until His Majtys Pleasure be known.

James Jaffry Cler Assem

In Coun Eodm die

Read and Concurred & Voted That Saml Penhallow & Jno Frost Esqs be of ye Committe from ye board for drawing the bill.

Richd Waldron Cler Con

In the House of Represent eodm die

Voted—That Jotham Odiorne Esq and Mr Theore Atkinson be of ye Committe of this house to joyn wth ye Committe above for ye end aforesaid.

James Jeffry Cler Assem

[P. 317.] A Message to The house by Messrs McPhreadis & Frost w^th^ y^e^ Vote of y^e^ house for repealing y^e^ laws made before 1719, w^ch^ are not yet Printed w^ch^ vote was sent up this day.

by y^e^ Same Message a Vote of Council was sent down for a Committe to Supervise y^e^ laws in y^e^ Secretarys office not printed in y^e^ recess of y^e^ Court.

Adjorned til 3 o'clock P. M.

---

Pro: N. Hamp^re^

Met according to adjornm^t^.

Present as Before.

A Message to the board by Cap^t^ Tibbits w^th^ y^e^ Vote of Council for a Committe to Supervise y^e^ laws in y^e^ recess of y^e^ Court Non-Concurred and the Vote of y^e^ house for repealing y^e^ laws Past before 1719 and not printed adhered To.

Adjorn'd til tomorrow 10 oclock A. M.

---

Pro: N. Hamp^re^

At a General assembly held at Portsmouth by adjornment Nov^r^ 27^th^ 1723.

Present in Council,

His Hon^r^ Jn^o^ Wentworth Lieu^t^ Gov^r^

Saml Penhallow, Mark Hunking, Geo: Jaffrey Esq^rs^ — Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ McPhredris Esq^rs^

Jn^o^ Frost Esq.

John Frost Esq^re^ from y^e^ Committe appointed to prepare a bill for a Triennial election of assembly men reported a bill accordingly entituled an act for calling and electing an assembly once in three years, and George Jaffrey Esq Presented a bill entituled an act in addition to the act entituled an act for y^e^ Settlement of the Parishes of the Town of Portsmo. both which were Several times read at

y^e^ board and past to be Engrost & Sent down to the house by Mess^rs^ Wibird & M^c^Phreadris for Concurrence.

A Message to the house by Sam^l^ Penhallow and George Jaffrey Esq^re^ to recommend to them an allowance out of y^e^ Treasury to M^r^ Agent Newman.

Adjorned til y^e^ 10^th^ day
of Dec^r^ next.

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[p. 318.] Pro. N. Hamp^re^

At a General assembly held at Portsmouth by adjornment the 10^th^ day of December 1723.

Present In Council

His Honour John Wentworth Esq L^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffry } Esq^rs^ — Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ M^c^phreadris } Esq^rs^

John Frost Esq.

adjorned til tomorrow
10 o'clock A. M.

---

Pro: N. Hamp^re^

At a Genr^l^ assem held at Portsm^o^ by adjornm^t^ Dec^r^ 11^th^ 1723

Present In Council

His Honour John Wentworth Esq Lieu^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffry } Esq^re^ — Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ M^c^pheadris } Esq^re^

John Frost Esq^r^

A Message to the board by Maj^r^ Gillman with the following vote.

In the house of Representatives Nov^r^ 11^th^ 1723

Voted That Cap^t^ W^m^ Fellows and M^r^ Theodore Atkinson be of the Committe from this house to joyn with a Com-

mitte of y^e^ upper house to tell over y^e^ old broken & defaced Mony of the first Impression that may be brought in this assembly by those who have Exchanged it that it may be burnt according to the act

James Jeffry Cler assem

In Council Eod^m^ die

Read and Concurred and Arch^d^ M^c^phreadris and Jn^o^ Frost Esq^s^ appointed from y^e^ board for y^e^ service above.

Rich^d^ Waldron Cler Con

A Message to the house by Geo: Jaffrey and Shad^a^ Walton Esq to read two letters from M^r^ Agent Newman to y^e^ Lieu^t^ Gov^r^ which his Hon^r^ received by y^e^ last Ship.

A Message to the house by Sam^l^ Penhallow and Rich^d^ Wibird Esq^r^ to reccommend to them ye Passing an act to make death y^e^ Punishment for Counterfeiting or altering y^e^ Publick bills of Credit &c .

Adjorn'd til 3 oclock P. M.

---

[P. 319.] Pro. N. Hamp^re^

Met according to adjornment.

Present as before.

A Message to the board by Mess^rs^ Davis & Fellows w^th^ the bill Entituled an Act for y^e^ Calling and Electing an assembly once in three years w^ch^ was sent down y^e^ 27^th^ of Novemb^r^ last. Concurred with in the house w^th^ this amendment (viz) That His Maj^tys^ Prerogative may not be infringed being Struck out.

By The same Message the Report of the Committe of audit as follows

We The Committe of both houses appointed by Vote of General assembly of y^e^ 21^st^ Novemb^r^ 1723, for Examining Muster Roles &c Do allow the several Sums annexed to Each name having Examined y^e^ Same.

| | | |
|---|---|---|
| N^o^ 1. Serg^t^ James Nock | £61: | 2: 6 |
| 2. Serg^t^ Jos: Beard | 46: | 2: 1 |

| | | | |
|---|---|---|---|
| 3. Ditto James Nock | 67: | 4: | 8 |
| 4. Ditto John Ladd | 55: | 4: | |
| 5. D° Moses Conner | 24: | 15: | 2¼ |
| 6. D° Joseph Beard | 61: | 12: | 5 |
| 7. Cap$^{t}$ Benj$^{a}$ Wentworth | 163: | 18: | 4 |
| 8. Col° Wear | 7: | | |
| Allowed Serg$^{t}$ James Nock & Serg$^{t}$ Jos: Beard 40s. each for carrying up provisions and expences | 4: | | |
| 9. Cap$^{t}$ Wentworth for 10 men in a Scout 26$^{th}$ May for 3 days each at 3s. pr day they finding victuals | 4: | 10: | |
| 10. Serg$^{t}$ Jos: Beard for 10 men 3 days each $^{yy}$ finding provision at 3s. pr day | 4: | 10 | |
| 11. The Treasur$^{rs}$ acc$^{t}$ of Provisions as pr. his account will appear 20$^{th}$ 9$^{br}$ 1723 | 403: | 3: | 4 |
| Total | £903: | 2: | 6 |

James Davis — John Frost
And$^{w}$ Wiggin — Rich$^{d}$ Wibird
W$^{m}$ Fellows — Arch$^{d}$ Macpheadris

In The House of Represen$^{t}$ Nov$^{r}$ 27$^{th}$ 1723.

*Voted,* That the within return of y$^{e}$ Committe be allowed as the Sums are Carryed off and that Cap$^{t}$ Benj$^{a}$ Wentworth be allowed and [p. 320.] paid out of y$^{e}$ Treasury the Sum of twenty Shillings for his Service and attend$^{a}$ in Making up M$^{r}$ Jos Beards Muster Roles.

James Jeffry Cler assem

In the House of Represen$^{t}$
Dec$^{r}$ 11$^{th}$ 1723.

Voted, That His Honour The Lieu$^{t}$ Governour be desired to Issue out his warr$^{ts}$ to the Treasurer for the payment of the several Sums allowed in this return.

James Jeffry Cler assem

In Coun$^{l}$ eod$^{m}$ die

The Two foregoing Votes read and Concurred

Rich$^{d}$ Waldron Cler: Con

A Message to the house by Arch$^{d}$ Macphedris and Jn$^{o}$ Frost Esq$^{r}$ w$^{th}$ a vote of Council for making death y$^{e}$ penalty of Counterfeiting or altering Publick bills of Credit, &c.

Adjorned til tomorrow 10 a clock A. M.

Pro: N. Hamp^re

At a General assem held at Portsm^o by adjornm^t Dec 12^th 1723.

Present In Coun^l

His Honour John Wentworth Esq^r Lieu^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffry } Esq^rs

Shad^a Walton, Rich^d Wibird, Arch Macpheadris } Esq^rs

John Frost Esq^r

The Committe appointed to make tale of the defaced broken bills y^e 11^th Instant reported to the board that they had received of y^e sd broken bills as follows (viz^t)

| | |
|---|---|
| of Geo: Jaffry Esq^r one hund^d twenty one pound ten & six pence | £121: 10: 6 |
| Rich^d Wibird Esq^r one hund^d & Seventeen p^ds sixteen Shillings | 117: 16: |
| Col^o Hunking thirty five p^ds eighteen & six-pence | 35: 18: 6 |
| Maj^r Gillman eighty two p^ds three & three pence | 82: 3: 3 |
| In all | £357: 8: 3 |

Which Sum of 357 : 8 : 3 was then burnt to ashes in y^e Council Chamber in Presence of y^e Gen^l assembly.

The Council Consent to y^e amendm^t of y^e bill for a Tri-annial assembly Sent up Yesterday as then entered by y^e house.

A Message to y^e board by Col^o Davis & Cap^t Downing w^th a bill for granting to His Majesty an excise on liquor &c w^ch was sent back by Sam^l Penhallow & Jn^o Frost Esq to be reconsidered.

Adjorn'd til 3 o'clock P. M.

[P. 321.] Pro : N. Hamp^re

Met according to adjornm^t

Present as before.

A Message to the house by Cap^t Macpheadris w^th a vote of Council for a Committe to prepare a bill for y^e better Curing and Culling fish.

Adjorn'd til tomorrow 10 o clock A : M.

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Pro: N. Hamp^re.

At a Gen^l assem held at Portsm^o by adjornm^t Dec^r 13, 1723.

Present In Council

His Honour Jn^o Wentworth Esq Lieu^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo : Jaffry } Esq

Shad^a Walton, Rich^d Wibird, Arch^d Macpheadris } Esq^rs

A Message to the board by M^r Atkinson w^th y^e bill for granting to His Majesty an Excise on liquors w^ch was reconsidered in y^e house &c y^e board Concurred w^th y^e s^d bill and ordered the same to be Engrost.

by the same Message y^e following votes

In Council Dec 12^th 1723

Voted That there be an act Past within this Province for the better regulating the Cureing and culling of fish, and that a bill be prepared accordingly and that Samuel Penhallow and John Frost Esq^r be of a Committe to joyn w^th Such as Shall be Chosen in the house of Representatives to Prepare the S^d bill

Rich^d Waldron Cler Con.

In the house of Represen^t Dec^r 13, 1723

Read and Concurred and Voted that Col^o John Plaisted and M^r Theo : Atkinson be of the Committe of this house to joyn w^th y^e above Committe for y^e end abovesaid.

James Jeffry Cler assem

In the House of Represen^t Dec 12^th 1723

Voted That the old broken defaced bills of Credit of this

Province of the first Impression that was this day brought in by the Trustees and told over by y^e^ Committe appointed That those of the Trustees that brought in the same be discharged of the several Sums brought in (viz) George Jaffrey Esq of the Sum of one hundred and twenty one pounds ten Shillings and Sixpence and Maj^r^ John Gillman of the Sum of eighty two pounds three Shillings and three pence & Rich^d^ [P. 322.] Wibird Esq of the sum of one hundred and Seventeen pounds Sixteen and Col^o^ Mark Hunking of the sum of thirty-five pounds Eighteen Shillings and Six pence and they are hereby discharged of the Said Several Sums.

James Jeffry Cler Assem^l^

In Coun^l^ Dec^r^ 13^th^ 1723.

Read and Concurred. Rich^d^ Waldron Cler Con

A Message to the board by Cap^t^ Odiorne and Cap^t^ Gillman with the two following Votes

In the House of Represen^t^ Dec 13^th^ 1723.

Voted That M^r^ Justice Easman be allowed and paid out of the treasury y^e^ Sum of thirty five Shillings for an Extraordinary Express sent this last Summer from Kingston to Nutfield. James Jeffry Cler assem.

In Coun^l^ Eod^m^ die.

Read and Concurred.

Rich^d^ Waldron Cler Con

In the House of Represen^t^ Dec^r^ 13^th^ 1723.

Voted That James Jeffry be paid out of the Publick Treasury the sum of ten pounds for his Service as Clerk of y^e^ assembly for the last year from y^e^ 29^th^ Nov^r^ 1722, to y^e^ 29^th^ Novemb^r^ 1723 and that His Honour the Lieu^t^ Gov^r^ be desired to Issue out his warr^t^ to y^e^ Treasurer accordingly

James Jeffry Cler assem

In Council Eod^m^ die

Read and Concurred

Rich^d^ Waldron Cler Con

The Committee appointed to make tale of y^e^ old broken defaced bills reported to the board that they had received of Jn^o^ Plaisted Esq four hundred thirty two pounds & Seven Shillings which Sum was burnt to ashes in y^e^ Council Chamber in Presence of y^e^ General assembly.

Adjorn'd til 3 o clock P. M.

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Pro: N. Hamp^re^

Met according to adjornm^t^

Present as Before

A Message to the House by Mess^rs^ Walton Macpheadris and Frost w^th^ a Vote of Council for addressing His Majesty for His favour in returning Gov^r^ Shute &c.

[P. 323.] The following Vote brought To the board by one of the Members of the house.

In the house of Represen^t^ Dec^r^ 13^th^ 1723.

There being brought in to the assembly by John Plaisted Esq one of the Trustees for Exchanging the old broken defaced bills of Credit of this Province the Sum of four hundred and thirty two pounds and Seven Shillings as told over by y^e^ Committe appointed for that end which was burnt in the face of the assembly,

Voted That the Said John Plaisted be discharged of the S'd Sum of four hundred and thirty two pounds & Seven Shillings and he is accordingly discharged

James Jeffry Cler assem

In Coun^l^ Eod^m^ die.

Read and Concurred.

Rich^d^ Waldron Cler Con

A Message to the board by Cap^t^ Tibbits and M^r^ Easman with a Vote of the house for repealing the laws not in Print, past before y^e^ year 1719, the Same in Substance w^th^ a vote of the house Sent to y^e^ board y^e^ 25^th^ of y^e^ last month w^ch^ vote was returned to y^e^ house by Geo: Jaffrey and Arch^d^ Macpheadris Esq who were directed to acquaint

them that y^e^ Council absolutely declined a Concurrence w^th^ that Vote.

A Message to the board by Jotham Odiorne Esq with the following vote.

In the House of Represen^t^ Dec^r^ 13^th^ 1723.

Voted That no laws made & Enacted before the year seventeen hundred and nineteen Except what have been printed be pleaded in any Court within this Province until they be Supervised by a Committe of both houses Chosen for that end and that Col^o^ John Plaisted Esq and Theod^r^ Atkinson be of the Committe to joyn w^th^ Such as y^e^ board Shall chuse for y^e^ overlooking the s^d^ laws and that they lay them before the General assembly for their approbation in order to their being Printed.

James Jeffry Cler assem

[P. 324.] In Coun Eod^m^ die

Read and Concurred and Geo. Jaffrey & Rich^d^ Wibird Esq^rs^ appointed for y^e^ Service afors'd

Rich^d^ Waldron Cler Con.

Jon^a^ Chesley Preferred a Petition for an allowance for Scouting &c w^ch^ was read and Sent down to the house of Representatives pr y^e^ Clerk.

Adjorn'd til to morrow 10 o'clock A. M.

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Pro : N. Hamp^re^.

At a Gen^l^ Assem held at Portsmouth by adjornment Dec^r^ 14^th^ 1723.

Present In Coun^l^

His Honour John Wentworth Esq^r^ Lieu^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo. Jaffry } Esqs

Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ Macpheadris } Esqs

John Frost Esq

A Message To the house by Geo Jaffrey and Shad^a^ Walton Esq^rs^ to enquire after y^e^ bill relating to the Parishes of Portsmouth sent down y^e^ 27^th^ Novemb^r^ last.

The Committe appointed the 1st of June 1723 to Survey Lamprey River &c having made their report the Same was read at ye board & sent down by George Jaffry and Richd Wibird Esqrs

John Frost Esqre from ye Committe for drawing a bill for ye better Cureing and Culling Fish Presented a bill to the board which was read and Past to be Engrost and Sent down for Concurrence by Richd Wibird and John Frost Esqrs

A Message to the board by Messrs Fellows and Dennet wth the bills a'bt the Parishes at Portsmo Concurred in ye house to be Engrost by the same Message the following vote.

In the House of Represent Decr 14th 1723

Voted That His Honour The Lieut Govr having the whole burthen of Government as Commandr in Chief devolved & continued upon him be presented with one hundred pounds for his Extraordinary Service done the Government to be paid out of ye Publick Treasury

James Jeffry Cler assem

[p. 325.] In Council Eodm die

Read and Concurred.

Richd Waldron Cler Con

A Message to the board by Messrs Odiorne and Easman wth ye following reports & votes abt Lampril river bridge &c

Pro: N. Hampre Whereas the General assembly of the Said Province appointed a Committe to view and find out a Convenient place for building a bridge over Lamprey River that so it might be made to Stand agst the force of floods comeing down Sd river and we the Subscribers being the Majr Part of Sd Committe that met at time and place appointed did view and find out a place which in our best Judgment Is at the Picked rock so called a little above the first Dam on Sd river which we according to our best under-

standing think the most proper place to erect the bridge. Given undr our hands the twelfth of July 1723.

Shadr Walton
Edwd Ayres
John Plaisted

In the house of represent Decr 14th 1723.

Voted The above return be accepted.

James Jeffry Cler Assm

In Counl Eodm die.

Read and Concurred.

Richd Waldron Cler Con

I Benjr Thomas being appointed by the Honble The Lieut Govr Council and representatives convened in Genl assembly to be one of a Committe to view Lamprey River and make report of ye Most convenient place to build a bridge over it but not having seasonabl notice to go with the rest of the Gentlemen of ye Committee These may Certify I have been there and viewed the river and am of opinion with the other gentlemen that at a Picked Rock upon the lower falls near ye old Dam is ye most Convenient place for Sd bridge. Given under my hand ye 13th Decembr 1723

Benjr Thomas

[p. 326.] In The House of Represent
Decr 14th 1723.

Voted The above return be accepted.

James Jeffry Cler Assm

In Council Eodm die

Read and concurred.

Richd Waldron Cler Con

In Counl

Ordered, That The Clerk forthwth Transcribe Copys of ye report abt Lamprey River bridge, and Send one to the Selectmen of Dover, and another to the Selectmen of Exeter together with Copys of the vote of General assembly past thereon and that he write to ye Sd Selectmen & Inform

them that His Hon$^{r}$ y$^{e}$ Lieu$^{t}$ Gov$^{r}$ and Council Expect a bridge be built Pursuant to the S$^{d}$ Report w$^{th}$ all possible dispatch.

Rich$^{d}$ Waldron Cler Con

A Message to the board by Mess$^{rs}$ Tibbits and Gillman w$^{th}$ the vote of Council for addressing His Majesty respecting Gov$^{r}$ Shute Non-concurr'd in the house also the Vote of Council for restraining hoggs going at large at Portsm$^{o}$ and N. Castle Non concurr'd; and the Vote of Council respecting y$^{e}$ Counterfeiting and altering Publick bills of Credit. Voted by y$^{e}$ house to be referred til y$^{e}$ Next Sessions.

A Message To The board by M$^{r}$ Atkinson w$^{th}$ y$^{e}$ Petition of Rob$^{t}$ Auchmuty Esq in behalf of Richard Hilton Esq$^{r}$ as entered y$^{e}$ 22$^{d}$ 9$^{br}$ last on which is Minuted a Vote of both houses that y$^{e}$ Consideration of Said Petition be deferred til y$^{e}$ Session of Gen$^{l}$ assembly in May next.

A Message to the board by Cap$^{t}$ William Fellows w$^{th}$ the following vote

In the House of Represen$^{t}$
Dec$^{r}$ 14, 1723.

Voted That M$^{r}$ Agent Newman be Presented w$^{th}$ one hundred pounds of our mony and that a Committe of both houses be appointed to draw up Instructions to be Sen$^{t}$ him desireing him to Preferr the Triennial act for the Choice of assembly to Endeavour the procuring the Stores mentioned in his [P. 327] Petition to y$^{e}$ Lords Justices, And that he be desired to desist meddling w$^{th}$ y$^{e}$ line unless to defend anything that may be preferr'd as an Incroachm$^{t}$, and That M$^{r}$ Speaker Wear, Col$^{o}$ John Plaisted Cap$^{t}$ W$^{m}$ Fellows and M$^{r}$ Theo. Atkinson be of y$^{e}$ Committe of this house to Joyn w$^{th}$ y$^{e}$ Committe of the upper house for to draw up and Send Such Instructions.

James Jeffry Cler assem$^{l}$

In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred and Voted That Sam$^{l}$ Penhallow,

George Jaffrey, Rich[d] Wibird and Jn[o] Frost Esq[rs] Joyn w[th] the Gentlemen above for the service above

Rich[d] Waldron Cler. Con.

A Message to the house by the Clerk To require their attend[a] at y[e] Council board the Speaker and house Came up accordingly and Then The three following bills being Past in both houses to be Enacted were again read and Signed & Sealed in Presance of the Gen[l] assem[l] (namely)

1[st] An act for Calling and Electing an assembly once in three Years.

2. An act In addition to the act Entituled an act for y[e] Settlem[t] of y[e] Parishes of y[e] Town of Portsmouth.

3. An act for Granting to His Majesty an Excise on Several liquors.

Then His Honour was Pleased to Prorogue the General assembly til monday the 11[th] day of May 1724 and accordingly in his Majestys name they were

Proro⌣ued.

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Further Prorogued by
Proclamation til the 25[th] May
1724.

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[p. 328.] Pro: N. Hamp[re]

At a General assembly held at Portsmouth by Prorogation May 25[th] 1724

Present In Coun[l]

His Honour John Wentworth Esq[r] Lieu[t] Gov[r]

Sam[l] Penhallow, Mark Hunking, Geo: Jaffry } Esq[rs]

Shad[a] Walton, Rich[d] Wibird, Arch[d] Macpheadris } Esq[rs]

A Message to the house by the Clerk of the Council to require their attend[a] at the board the Speaker & house came up accordingly To whom His Honour made the following speech

*Gent*n

My Intention was to have seen you Sooner but when I considered the backwardness of the Season occasion'd by the long rains we have had I determined to give you more time that you might finish the busyness of the Spring, and then be better prepared to dispatch what may now come before you.

I have by the last Ships from Great Brittain received a letter from Govr Shute, and he stil assures me he will Contribute every thing in his Power to Serve this Province, and the Present State of his affairs would not admit of his telling me when he Should Imbarque for New England.

I was in Expectation of Giving you the pleasing account of His Majestys bounty to Fort Wm & Mary whose Stores are well Exhausted and Stock very low but by my letters of the 27 of March last from Mr agent Newman I find the Memorial laid in by him to the Lords of Trade &c did not meet wth the Expected Success, however he is advised to Petition His Majesty and is in hopes of obtaining.

I have Given Saml Penhallow Esqr a Commission for Treasurr of this Province and hope you will take care to allow such Supplys of money as are necessary for ye Support of the Government.

Geo: Jaffrey Esq The late Treasurer will lay before you the Publick accts of the Province in order to be examined and adjusted.

[p. 329.] I have taken care to guard our frontiers wth a Scout of thirty two men, eight men in a party, the better to secure our Exposed Inhabitants, a Greater Number may be raised as occasion offers but am willing to make the expence as Easy as Possible That so you may be encouraged the more liberally to raise mony for repairing and building Fort Wm and Mary. The Committe for that Service have provided Materials & agreed with workmen, but the Season has hitherto prevented them from beginning work

The Thousand pound Tax To be raised on the Inhabitants this Present year you can Expect no benefit by for it must be burnt To ashes therefore you will Consider how to Provide for the accruing charge of this year that so His Majtys Governmt may be Supported wth honour.

J. Wentworth.

The speakr in behalf of the house Pray'd His Honour to favour them wth a Copy of His Speech, who were answer'd

that the Clerk Should wait upon them w^th^ a Copy thereof and then they withdrew to their own apartment.

Adjorn'd til tomorrow
10 o'clock A. M.

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Pro. N. Hamp^re^

At a Gen^l^ assem by adjornm't May 26, 1724
Present In Coun^l^
His Honour John Wentworth Esq Lieu^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs^ — Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ Macpheadris } Esq^rs^

John Frost Esq.

A Message to the board by M^r^ Sanburn w^th^ the following Vote.

In house Represen^t^ May 26, 1724

Voted, That Maj^r^ Jn^o^ Gillman M^r^ Theo Atkinson and Capt W^m^ Fellows be a Committe from this house to Audit y^e^ acc^ts^ of this Province for y^e^ year 1723.

James Jeffry Cler assem

[P. 330.] In Coun^l^ Eod^m^ die.

Read and Concurred And Mark Hunking Rich^d^ Wibird and arch^d^ Macpheadris Esq^rs^ appointed to Joyn y^e^ Gentlemen above for y^e^ Service above.

Rich^d^ Waldron Cler Con.

A Message to the board by M^r^ Sanburn w^th^ y^e^ following answer to y^e^ L^t^ Gov^rs^ Speech.

The answer of the house of Represen^t^ To His Hon^r^ the Lieut Gov^rs^ Speech, Made May 25, 1724.

We are Sensibly affected and Concerned, that in This time of warr and danger our Memorial To His Majesty for His bounty of Stores of warr meets w^th^ Such an unexpected Stop after the Pleasing views it was laid before us in but we would that if due care and proper and reasonable application were made by our agent it might Yet Prove Successfull.

We are ready to receive M^r^ Treasurer Jaffrey's account and have Chosen a Committe To Audit y^e^ Same.

We like wise take notice that yo$^{r}$ Honour hath Commission'd Sam$^{l}$ Penhallow Esq to be Treasurer and Expect he will be qualifyed by giving bond.

We Shall Take care in Supporting y$^{e}$ Publick faith in discharging the debts that become due this year from the Province and to raise Such Sums as Shall Support the Government and the discharge of such debts as shall be made in the necessary defence thereof.

We acknowlege Yo$^{r}$ Hon$^{rs}$ Care for the defence of our Frontiers and Pray the Continuance thereof and Gods blessing upon it.

May 26$^{th}$ 1724. Peter Wear Speak$^{r}$

Adjorn'd Til 3 oclock P. M.

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Pro: N. Hamp$^{re}$

Met according to Adjornm$^{t}$

Present as Before

Adjorn'd Til Tomorrow

10 o'clock A. M.

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[P. 331.] Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assem$^{l}$ held at Portsm$^{o}$ by adjornm$^{t}$ May 27 1724

Present In Council

His Hon$^{r}$ y$^{e}$ L$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow | Esq$^{rs}$ | Shad$^{a}$ Walton | Esq$^{rs}$ |
| Mark Hunking | | Rich$^{d}$ Wibird | |
| Geo: Jaffrey | | Arch$^{d}$ Macpheadris | |

A Message to the house by y$^{e}$ Clerk of the Council w$^{th}$ a Vote of Council for Preparing a bill ag$^{st}$ unnecessary firing Guns During y$^{e}$ pres$^{t}$ Ind$^{n}$ Warr &c

Adjorned til 3 o'clock P. M.

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Pro: N. Hamp$^{re}$

Met according to adjornment

Present as Before.

A Message to the board by Cap$^{t}$ Odiorne and Cap$^{t}$ Gillman w$^{th}$ Several accounts w$^{ch}$ had been under y$^{e}$ Considera-

tion of y^e^ Committe of Audits, and the auditors report, which report was ordered to lye on y^e^ Table for consideration.

A Message to the board by M^r^ Sanburn w^th^ the following Votes.

In Coun^l^ May 27, 1724

Whereas there was an Act made and past in y^e^ 13^th^ year of King William of blessed Memory, forbidding any person to abuse His Majestys name and authority in Pretending himself to be a Sherriff, Under Sherriff Deputy or Constable which really were not so upon very Severe pains and penaltys, and whereas there is no Provision made ag^st^ Personating a Military officer and abusing His Majestys name and authority as Such by pretending to Impress without warrant so to do,

It is therefore

Voted That there be an addition to the Same Act (namely) That the penalty for Pretending to be a Military officer or Assuming a Military Power and Authority where there is none Shall be the Same as in the S^d^ Act is Exprest for personating a Civil officer and further that in Said Additional Act, the Unnecessary fireing Guns from the first day of March to y^e^ last day of Novemb^r^ annually dureing the Present Ind^n^ warr in the Towns of Dover, Exeter, Kingston and London Derry Shall be prohibited on pain that every offend^r^ Shall pay forty Shillings being Convict.

Rich^d^ Waldron Cler Con

[P. 332.] In the House of Represen^t^ Eod^m^ die

The above vote of the Council this day read and Voted a Concurrence w^th^ these amendments (viz) *to be added* The Towns of Greenland Streatham and Newington and that the Penalty be but ten Shillings and if the Delinquent hath not mony to pay, then to be punished at y^e^ Discretion of y^e^ Military officers in the Town where the offence was Committed and That no man fire w^th^ out leave from His Cap^t^ or field officer.

And That John Gillman Esq$^{r}$ and Theo$^{r}$ Atkinson be of the Committe of this house to joyn w$^{th}$ the Committe of the upper house to draw up an Act according to the above vote w$^{th}$ y$^{e}$ amendmt$^{s}$ agreed on.

James Jeffry Cler Assem

In Coun$^{l}$ Eod$^{m}$ die.

Concurred w$^{th}$ the Amendments And Shad$^{a}$ Walton and John Frost Esq$^{rs}$ appointed to Assist in drawing the bill

Rich$^{d}$ Waldron Cler. Con.

In the house of Represen$^{t}$ May 26$^{th}$ 1724

Voted That Jotham Odiorne Esq$^{r}$ and M$^{r}$ William Fellows, and M$^{r}$ Theo: Atkinson be of the Committe from this house to Joyn w$^{th}$ a Committe of the upper house to account & receive the old bills of Credit of Each sort that is to be burnt this assembly, and make their return to the assembly. James Jeffry Cler Con

In Coun$^{l}$ May 27, 1724.

Read and Concurred and Sam$^{l}$ Penhallow Arch$^{a}$ Macpheadris and John Frost Esq$^{rs}$ appointed for y$^{e}$ Service above. Rich$^{d}$ Waldron Cler Con

Adjorned til Tomorrow 10 a Clock A. M.

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Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornm$^{t}$ May 28$^{th}$ 1724.

Present In Coun$^{l}$

His Honour John Wentworth Esq$^{r}$ Lieu$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Arch$^{d}$ Macpheadris } Esq$^{rs}$

John Frost Esq.

A Message to the board by M$^{r}$ Redman w$^{th}$ the following vote.

[P. 333.] In The House of Represent May 27, 1724.

Voted That Ezekiel Moulton be allowd & paid out of the

Treasury twenty Shillings in full for Piloting two Ind^ns To Newbury and bringing back their horses.

James Jeffrey Cler assem

In Coun^l May 28^th 1724.

Read and Concurred. Rich^d Waldron Cler Con

A Message to the board by Cap^t Ordiorne and Cap^t Gillman w^th the following vote.

In The house of Represen^t May 28^th 1724.

Voted That M^r Speak^r Wear be of y^e Grand Committe for y^e 15,000£ in the Room of Col^o Thomas Packer Deceased. James Jeffry Cler assem

In Coun^l Eod^m die.

Read and Concurred. Rich^d Waldron Cler Con

Adjorned til Tomorrow
10 o'clock A. M.

---

Pro. N. Hamp^re

A a Gen^l assem held at Portsmouth by adjornm^t May 29^th 1724.

Present In Coun^l

His Honour John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Shad^a Walton } Esq^re

Geo. Jaffry, Rich^d Wibird, arch^d Macpheadris } Esq^re

A Message To The house by Samuel Penhallow and arch^d Macpheadris Esq^rs To recommend to their consideration y^e Vote of Coun^l past last Sessions ag^st Counterfeiting bills of Credit and M^r Hiltons Petition preferred by M^r Auchmuty, and both Suspended til the present Session.

A Message to the board by M^r Dennet & Cap^t Tibbits w^th the following vote.

In The house of Represen^t
May 29^th 1724.

Voted That The accounts of George Jaffrey Esq late

Treasurer of this Province as reported by the auditors be accepted and allowed.

James Jeffry Cler assem

[P. 334.] In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred (memorand$^{m}$ y$^{e}$ ballance due to y$^{e}$ Prov: is £19: 4: 8.)

Rich$^{d}$ Waldron Cler Con

A Message to the board by Cap$^{t}$ Downing & M$^{r}$ Sanburn w$^{th}$ the following vote.

In the house of Represen$^{t}$ May 29$^{th}$ 1724.

Voted That there be Signed of the Two Thousand pounds now ready Imprest y$^{e}$ Sum of Seven hundred ninety eight pounds seven Shillings and put into the Treasury for the payment of the Sundry debts now allowed and remaining due from the Province, and other Contingent Charges that may happen, and That His Honour The Lieu$^{t}$ Gov$^{r}$ be desired to Issue out warrants accordingly, for y$^{e}$ Payments of what is yet unpaid and for payment of$^{r}$ y$^{e}$ Contingencys

James Jeffry Cler assem

In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

A Message to the board by M$^{r}$ Dennet w$^{th}$ the two following Votes.

In the house of Represen$^{t}$
May 29$^{th}$ 1724.

Voted, That There be a Tax of five hundred pounds laid on The Inhabitants of this Province, and that it be brought into the Treasury by the middle of January next in mony and that It shall be applyed for discharging the Support of the Government, as the Gen$^{l}$ assembly Shall order and that an act be drawn up accordingly, and That John Gillman Esq. and M$^{r}$ Theo: Atkinson be of the Committe of this house to Joyn w$^{th}$ a Committe of the upper house to draw up the act accordingly.

James Jeffry Cler Assem

In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred and Geo: Jaffry and Arch$^{d}$ Macpheadris Esq$^{rs}$ appointed to joyn for y$^{e}$ Service above

Rich$^{d}$ Waldron Cler Con

In the House of Represen$^{t}$

May 29$^{th}$ 1724.

[P. 335.] Ordered That Each Town and Precinct within This Province Shall Sometime before the first monday in October next chuse Some proper person to meet at y$^{e}$ Court House in Portsm$^{o}$ on S'd day. Then and There to agree upon rules and measures for y$^{e}$ New proportioning the Province Tax for every town and precint w$^{th}$in this Province (the best they can) and make return thereof unto the next Sitting of the General assembly that Sit after the Said day for their approbation, and That each Town pay the Person chosen for His Service therein.

James Jeffry Cler assem

In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

Adjorn'd til tomorrow 10 oclock A. M.

---

Pro: N. Hamp$^{re}$

At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adjornm$^{t}$ May 30$^{th}$ 1724.

Present In Coun$^{l}$

His Honour John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Arch$^{d}$ Macpheadris } Esq$^{rs}$

John Frost Esq

A Message To The board by Mess$^{rs}$ Odiorne and Gillman w$^{th}$ the following report and Votes

We The Subscribers hereof being a Committe of both houses to account and receive and tell over the mony of

each sort that is to be burnt in this assembly Do thus make our return

| | |
|---|---|
| Rec$^{d}$ from Geo: Jaffrey Esq$^{r}$ (of y$^{e}$ 15000£ bank) | £437: 4: 5½ |
| Do from D$^{o}$ on acc$^{t}$ of Col$^{o}$ Packer (of y$^{e}$ Same) | 189: 4: 1 |
| | £626: 8: 6 |
| Rec$^{d}$ of Geo: Jaffrey Esq (Exch$^{a}$ on y$^{e}$ 5384£) | 142: 11: 6 |
| Ditto of Col$^{o}$ Wear (of y$^{e}$ Same) | 21: 3: |
| Ditto of Col$^{o}$ Plaisted of y$^{e}$ Same | 11: 3: 6 |
| Ditto of Rich$^{d}$ Wibird (ditto) | 76: 5: |
| | 251: 3 |
| Ditto of Col$^{o}$ Hunking (ditto) | 31: 5: 6 |

We Received of y$^{e}$ 15,000£ bank mony y$^{e}$ Sum of Six hundred twenty Six pounds eight Shillings and Sixpence. [p. 336.] And of the 5384£ old Defaced bills Exchanged y$^{e}$ Sum of two hundred and fifty one pounds three Shillings, and more of Col$^{o}$ Hunking thirty one pound five Shillings and Sixpence May 28, 1724

Jotham Odiorne
Arch$^{d}$ Macpheadris
W$^{m}$ Fellows
John Frost
Theo: Atkinson

In The House of Represen$^{t}$ May 30$^{th}$ 1724

There was brought into and burnt in the face of the General assembly of the fifteen thousand pound bank mony, the sum of four hundred thirty Seven pounds four Shillings and five pence, by Geo: Jaffrey Esq$^{r}$ & also the Sum of one hundred eighty nine pounds four shillings and one penny by the S'$^{d}$ George Jaffrey of the Same bank mony rec'd of Col$^{o}$ Thomas Packer deceased and the Said Packer and Jaffrey are hereby discharged of the Said Several Sums.

James Jeffry Cl$^{e}$r Assem

In Council Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron Cl$^{e}$r Con

In the house of Represen$^{t}$ May 30$^{th}$ 1724

Voted That The old broken Defaced bills of Credit of this Province of the first Impression There was brought

into the assembly by the Trustees and told over by y^e^ Com^a^ mitte appointed as pr their return, and that those of the Trustees that brought in the Same be discharged of the Several Sums brought in (viz) Geo: Jaffrey Esq^r^ of the Sum of one hund^d^ forty and two pounds eleven Shillings and Sixpence and M^r^ Speak^r^ Wear of the Sum of twenty one pounds three Shillings and Jn^o^ Plaisted Esq^r^ of the Sum of Eleven pounds three Shillings & sixpence and from Rich^d^ Wibird Esq^r^ y^e^ Sum of Seventy Six pounds five shillings, and from Mark Hunking Esq the Sum of thirty one pounds five Shillings and Sixpence and They are hereby discharged of the Said Several Sums.

James Jeffry Cler Assem

[P. 337.] In Council Eod^m^ die

Read and Concurred

Rich^d^ Waldron Cler Con

A Message to the board by Jotham Odiorne Esq. w^th^ y^e^ following vote

In The house of Represen^t^

May 30^th^ 1724.

Voted That the old Prison in Portsmouth be sold for the benefit of the Province to the best advantage by a Committee appointed for that end and that John Gillman Esq^r^ and M^r^ Theod^re^ Atkinson be of the Committe from this house to joyn w^th^ a Committe of the upper house to do y^e^ Same.

James Jeffry Cler Assem^l^

In Coun^l^ Eod^m^ die.

Read and concurred

Rich^d^ Waldron Cler Con

Adjorn'd Til y^e^ 10^th^ June

Next.

Pro: N. Hamp^re

At a Gen^l Assem held at Portsm^o by adjornm^t June 10^th 1724.

Present in Coun^l

His Honour John Wentworth Esq^re Lieut Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffry } Esq^rs

Shad^a Walton, Rich^d Wibird, Arch^d Macpheadris } Esq^rs

A Message to the board by Mess^rs Fellows and Atkinson to acquaint His Honour That Pursuant To a Receipt from M^r Speaker to have a representative chosen in the Town of Dover in the room of Cap^t Tim^o Gerrish who had lately removed out of the Province Cap^t Benj^a Wentworth was return'd pr the Sherriff as lawfully Elected & to Pray That the S'd Cap^t Wentworth might be qualifyed &c Whereupon His Honour appointed Geo: Jaffrey Esq^r and Rich^d Wibird Esq^r and The Clerk to go into the house of Represen^t and adm^r the proper oathes w^ch was Immediately done accordingly.

[P. 338.] Sam^l Ingals being admited into the Council Chamber Presented a Petition To The board In behalf of himself and others Praying that the Garrison at Chester might be Strengthen'd w^th men at y^e Province Charge w^ch was read and Sent down by Sam^l Penhallow and Geo: Jaffrey Esq^rs

Adjorned Til Tomorrow 10 oclock A. M.

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Pro: N. Hamp^re

At a Gen^l assem held at Portsm^o by adjorm^t June 11^th 1724,

Present In Coun^l

His Honour John Wentworth Esq Lieu^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffry } Esq^rs

Shad^a Walton, Rich^d Wibird, arch^d Macpheadris } Esq^rs

John Frost Esq

The Petition of Jotham Odiorne Esq Praying for a Special act to Enable him to bring forward a Suit ag$^{st}$ Rich$^{d}$ Jordan at y$^{e}$ Next Super$^{r}$ Court &c for reasons therein mentioned which was read and dismist.

A Message to The board by Cap$^{t}$ Fellows and Cap$^{t}$ Tib bits w$^{th}$ a bill Entituled an Act to Ascertain the Time for y$^{e}$ redemption of land Mortgaged on Conditions or by deed of Sale w$^{th}$ defeasance w$^{ch}$ was past in the house to be Enacted, and being read three times at the board the Council Concurred and ordered the Same to be Engrost.

By the Same Message The bill (w$^{ch}$ was reported to the house by y$^{e}$ Committe appointed to draw the same) Entituled an Act in addition To an act made in the thirteenth Year of King William The third Impowering Sheriffs Und$^{r}$ Sherriffs Deputys or Constables to demand aid and assistance in y$^{e}$ Execution of their respective offices, which being Past in the house was Concurred in Council having had its Several readings there.

By The Same Message the following Vote

In The house of Represen$^{t}$ June 10$^{th}$ 1724.

Voted That Jon$^{a}$ Moulton be allowed and paid out of the Treasury for ten days Service under Lieu$^{t}$ Jos: Beard (he haveing taken his oath of S'$^{d}$ Service) as Centinel.

James Jeffry Cler Assem

In Coun$^{l}$ June 11$^{th}$ 1724.

Read and Concurred. Rich$^{d}$ Waldron Cler Con.

[P. 339.] A Message To The board by Cap$^{t}$ Wiggin w$^{th}$ the Petition of Sam$^{l}$ Ingals and others (w$^{ch}$ was read at y$^{e}$ board and Sent down To y$^{e}$ house Yesterday.) Voted to be dismist.

By The Same Message a Bill Entituled An Act To Levy a Tax of five hundred pounds on the Poles and Estates w$^{th}$ in this Province, Past in the house To be Enacted w$^{ch}$ being Several Times read at y$^{e}$ board y$^{e}$ Council Concurred Therew$^{th}$.

George Jaffrey Esq Presented To The board a bill Entituled an act In addition to the act ag$^{st}$ Trespasses in Town Commons which being Several times read at the board was Past To be Enacted and Sent down to the house p$^{r}$ the S'd Geo Jaffrey Esq$^{r}$

Adjorn'd Til 3 o'clock P. M.

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Pro: N. Hamp$^{re}$

Met according To adjornm$^{t}$

Present as Before

Adjorn'd Til Tomorrow 10 a'Clock A. M.

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornm$^{t}$ June 12$^{th}$ 1724

Present in Coun$^{l}$

His Hon$^{r}$ John Wentworth Esq Lieu$^{t}$ Gov$^{r}$

Samuel Penhallow, Mark Hunking, Geo: Jaffry } Esq$^{rs}$ — Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Arch$^{d}$ Macphreadris } Esq$^{rs}$

John Frost Esq

Robert Burnham was admitted into The Council Chamber, and presented an Ind$^{n}$ Scalp To the board, and made oath That it was bona fide the Scalp of an Indian Slain two days before at Oyster river by a Party of Men under y$^{e}$ Command of M$^{r}$ Abraham Bennick & that he believed y$^{e}$ S'd Ind$^{n}$ was an Enemy Indian &c Whereupon it was ordered That Pursuant To Act of Gen$^{l}$ Assem$^{l}$ the Slayer be paid one hundred pounds out of The [P. 340.] Treasury and that the Clerk forthw$^{th}$ prepare a warrant accordingly: the Said Sum being made payable To Cap$^{t}$ Francis Matthews at y$^{e}$ request, and on the account of the S'$^{d}$ Slayers.

Adjorned Til 3 a'Clock P. M.

Pro: N. Hamp^re^

Met according To adjornment
Present In Coun^l^
As Before.

A Message to the board by Maj^r^ Gillman and Cap^t^ Wentworth with the following vote.

In The house of Represen^t^
June 12^th^ 1724.

Benj^a^ Gambling Esq^r^ high Sherriff of this Province of New Hampshire desires the Gen^l^ Assem. for an allowance for his Service as high Sherriff for y^e^ year 1723 and Submitts it to the Gen^l^ Assem^l^

Voted That There be allowed and Paid him out of the Publick Treasury in full of his S'^d^ Service the Sum of thirteen pounds.

James Jeffry Cler Assem

In Council Eod^m^ die
Read and Concurred

Rich^d^ Waldron Cler Con

By The Same Message A Petition of the Commoners of Hampton Praying for a Committe To lay out land in Kingston &c Voted To be Suspended Til Next Session &c and That Kingston be notify'd as Endors'd on S'^d^ Petition on file — And The Bill about Trespasses Sent down Yesterday Voted To be Considered at the next Sessions and an acc^t^ of Rob^t^ Coates Voted To be dismist, which was returned by Geo Jaffrey To be reconsidered, and Immediately brought to the board again by M^r^ Redman w^th^out amendment.

This day The Council Concurred w^th^ the Vote of the house upon y^e^ first report of y^e^ Committe of audit Sent up y^e^ 27 of May last, which is as follows.

[P. 341.] We whose names are underwritten being appointed Committe to audit the accounts of the Province of New Hampsh^re^ for y^e^ year 1724 Do allow as follows.

N° 1. An account Sign'd Robert Coates for work and necessarys for Fort W^m & Mary am° To 29. 12. 3 £19. 1. 5 being paid by M^r Jaffrey y^e Treasu^r so remains due & allowed £10. 10. 10

N° 2. An Account for work as above Sign'd Rich^d Perry am° To £19. 8 Paid by mony from y^e Treasurer & old Iron £17. — remains due & allowed 2. 8.

N° 3. M^r Treasu^r Jaffrey Acc^t allowed and due to the Province £19. 4. 8

Besides

outstanding in y^e Constables hands 61. 13. 5 and some Smal Stores hatchets powd^r &c which M^r Penhallow must be debted with.

N° 4. An account Signed John Frost in behalf of Rob^t Sanders of y^e Isles of Shoales for coming to bring the News of a Pirate am° To 40s allowed. to be paid by y^e Constable of Gosport who as yet is behind hand in the payment of his Province rates for y^e year 1723 2. 0. 0

N° 5. An Acc^t Signed Benj^a Acreman for Service as doorkeeper, & Expresses &c allow'd 7. 10

The Clerk of the Council not haveing kept an Acc^t of his Service done for the year past recommends the Same to this house for allowance

Allowed M^r Waldron 72. 10.

An Acc^t Signed Clem^t Hughes Commissio^r of the Excise being examined and found to be right Cast there is due to the Province for y^e year 1723 now in his hands the sum of £90. 14.

The Said Hughes Prays a further allowance on his account for y^e year 1722, being for Sundry Services which is mentioned in his acc^t and which y^e Committe of audit for that year disallowd being reconsidered allowed 4. 10.

An account Signed John Newmarch for a Castle boat am° to £28. 14. allowed 26. 13.

[p. 342.] An account Signed Joseph Moulton for Ditto *band?* am° To £3. 1. 6. allowed 3.

An Acc^t Signed Joseph Moses for Joyners work on Ditto boat am° to £2. 15. allowed 2.

An acc^t Signed Susanna Smal for Expences am° To £3. 13. 10 allow'd the Said Sum 3. 13. 10

An account of Sundry Smal necessarys from ye Gunner of Fort Wm & Mary amo to £9. 17. 1 allow'd 9. 17. 1
An acct Signed Josha Bab for Glass work on the Prov: goal amo To 1. 17. 2 allowed 1. 17. 2
An account Signed John Clark for Masons work on the Said Goal amo to 26s allowed 6. 1.
An account Signed John Gillman for Services done as Commissary for Sundry Provisions & Stores Dd to the forces at Exeter amo to 27. 11. 1 referred to the house for their Consideration & approbation.

Wm Fellows
Theore Atkinson

Mark Hunking
Richd Wibird
Archd Macpheadris

In the House of Represent May 27th 1724.

Voted That The within return of the Auditors of the accounts be accepted and allowed, and that what is unpaid be paid out of the Publick Treasury.

James Jeffrey Cler Assem

In Coun[l] June 12th 1724.

Read and concurred Richd Waldron Cler Con

A Message to the board by Mr Atkinson wth the following report and Votes,

We Underwritten being appointed a Committe to audit The Publick accounts report as follows June 11th 1724 To Jotham Odiorne Esqr for 2 days viewing Fort Wm & Mary & to let out ye work wth expences £1: 7, allowed Nothing £0: 0: 0
John Plaisted Esqr his acct for ditto £1: 19, allowed 0: 0: 0
Edwd Toogood's acct for time and labor not proved
[p. 343.] John Knights acct for expences of the Govr and field officers at Several times for Service of the Government £8: 18: 8 allowed in full discharge of S'd acct £5: 7: 8
The account of John Gillman Esqr for Sundry Services for Govermt amo To 27: 11: 1, allow'd in full discharge of S'd account 7:
The account Signed Benja Leavit for Seizeing a Deserted Indn from ye Massa wth Charges of other men to assist him £1: 5 not allowed.

Mark Hunking
Richd Wibird
Archd Macpheadris.

Wm Fellows

In the House of Represen$^{t}$ June 12$^{th}$ 1724.

Voted That The above accounts be allowed, and the Several Sums set of be paid unto each person out of the Publick Treasury and that there be paid To Maj$^{r}$ John Gillman besides the above allowance the Sum of three pounds as an addition, and paid out of the Publick Treasury also.

James Jeffrey Cler Assem

In Council Eod$^{m}$ die

Read and concurred.

Rich$^{d}$ Waldron Cler Con

Adjorn'd Til tomorrow
10 a Clock A. M.

---

Pro. N. Hamp$^{re}$

At a General assem held at Portsm$^{o}$
by adjornm$^{t}$ June 13$^{th}$ 1724.

Present in Coun$^{l}$

His Honour John Wentworth Esq Lieu$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow | Esq$^{re}$ | Shad$^{a}$ Walton | Esq$^{re}$ |
| Mark Hunking | | Rich$^{d}$ Wibird | |
| Geo: Jaffrey | | arch$^{d}$ Macpheadris | |

John Frost Esq$^{re}$

A Message to the board by Mess$^{rs}$ Downing, Fellows and Dennet w$^{th}$ the following vote

In the House of Represen$^{t}$ June 13$^{th}$ 1724.

Voted That His Honour The Lieu$^{t}$ Gov$^{r}$ haveing the whole Government as Commander [P. 344.] In Chief stil continued upon him) be Presented w$^{th}$ the sum of one hundred pounds for his Extraordinary Service done the Government in this Time of warr, and that It be paid him out of the Publick Treasury.

James Jeffry Cler assem

In Council Eod$^{m}$ die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con.

A Message to the board by Mr Atkinson wth the following vote,

In The house of Represent June 13th 1724.

Voted, That ten pounds five Shillings be paid out of The Publick Treasury To Capt Benja Wentworth in full of his account for distributing Stores To ye Souldrs &c

James Jeffry Cler assem.

In Coun$^{l}$ Eod$^{m}$ die

Read and Concurred

Rich$^{d}$ Waldron Cler Con

A Message To The house by ye Clerk of the Council to require their attenda at the board The Speakr and house came up accordingly and the three following bills being read & Signed and Sealed in Presence of the Gen$^{l}$ assem (namely)

1st an Act in addition to an Act made in ye 13th year of King William the 3d Impowering Sheriffs under Sherriffs Deputys or Constables to demand aid and assistance in the Execution of their respective offices

2d an Act to ascertain the time for ye redemption of lands Mortgaged on Condition or by deed of Sale wth defeasance

3. an Act To Levy a Tax of five hundred pounds on the Poles and Estates wthin this Province.

His Honour was pleased to Prorogue the General Assem$^{l}$ and accordingly They were

Prorogued

'Til the 13th day of October Next.

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Further Prorogued by Proclam

Till ye 19th Instant.

10

*Henry Newman's Letter to Committee of both Houses.*

[From MS. Correspondence in Secretary's Office, p. 37.]

To Mr. Penhallow and y^e^ Gent. of the Comittee of both Houses in New Hampshire.

Middle Temple, 29^th^ Sept. 1724.

*Gentlemen* —

I received your Instructions dated the 10^th^ of March last, signed by Mr. Penhallow in behalf of the committee of both Houses, and immediately applyed myself to execute your Orders.

I went to the board of Trade with the Triennial Bill and acquainted Mr. Secr'y Popple with the Directions I had received thereon: he told me they could receive no Bill there without the Province Seal to it: I told him I would leave the Copy I had received as an Authentick Copy signed by the Secr'y of the Province, till a Copy with the Seal of the Province could come; he said, I might do so if I would, but the Board would consider it only as a Piece of Waste Paper, and give no opinion of it till it came in Form. I then suspended farther application in Hope the next Ship might bring a Copy in Form; but to this day none is come. In the mean time I have acquainted the Governor with the contents of the Bill, knowing the Board of Trade would consult him thereon, before they would recommend it to the King. The Govern^r^ said he thought it an improper juncture to offer a Bill for limiting the Prerogative, when the neighboring Province had incurred the Jealousie of the Court by several invasions of it; but if the Province of New Hampshire thought their Interest much concerned in it, he would not oppose it; if the Governm^t^ here should think fit to approve of it.

I have since asked some Gentlemen belonging to the office of Trade and Plantations what they thought would be the sentiments of the Board on such a Bill, when it came regularly before them: and they told me it is dubious what might be the success of it for these Reasons:

1^st^ Because of the Incroachments of a neighboring Province.

2^dly^ That as the Province was at this time Petitioning the Crown for a considerable Favour of stores, the offering such a Bill as should limit the Crown was not so well tim'd as might be wish'd.

3^dly^ That the Commons of Great Brittain did at an important Juncture obtain such a Limitation on the Crown as that a New Parliament should be called once in 3 years, but Experience had shown that such a Limitation was prejudicial to y^e^ subject by the Tumults and Expence it occasioned to the Candidates for Election, and therefore they had since obtained an Enlargement of that Limitation from 3 to 7 years.

I mention these Things that you may, if you think proper, submit them to the Consideration of the assembly.

The Board of Trade have very kindly espoused and recommended to the Government the memorial for stores for Fort William and Mary, but the office of Ordnance have not done so, because the Stores sent by an order of Council in the late Queen's time are not paid for to this day, and they seem content it should remain as a desperate Debt, provided they may never have such orders again, without a Provision in Parliament.

I have seen at the office of ordnance their memorial to my Lord Cadogain, but have not yet been able, after frequent solicitations to get an Authentic Copy of it. They also lately refus'd giving any copy and told me I must go to the Secretary of State's office for it; Mr. Delafaye, who then acted as Secretary of State, assures me he never received it, and having since desired a copy of it, they sent him a copy, or rather an Extract of it without any name to it, and when Mr. Delafaye shew'd it to me, he told me he could only let me read it, because it did not come regularly to him. I told him that would do me no service without the liberty of copying it, and having y^e^ names of those who signed it. He then desired I would write to him such a letter, as I had sent a a copy of, dated the —? of July last, and that he would try to get a copy on such a Letter. I have since been to wait on him at Windsor to know what effect this method of application had; my journey was in vain, for he plainly told me, unless I would give him his own time, he could not serve me.

I have again wrote to him the 17^th^ curr^t^ in the terms herewith sent, but have no answer. Nor can I take more steps in this affair with the ministry without a Copy of this memorial to prevent any further Reference to the Ordnance.

As to the affair of the Lines, I am attentive to any step the Agent of Massachusetts may take therein, and shall make the best use I can of the Instructions you have given to Defend your Interest when occasion offers.

The Board of Trade will not meddle with it, till it comes referr'd to 'em by the Governm^t^, and to Petition the king, at this juncture to urge a Hearing before the Council, I am sure of a great Expence, but not so sure of serving the Province therein with success, as I desire to be when I make application about it.

Please to assure the Lieutenant Gov^r^ and both Houses of the Assembly of my humble service, and thankfull acceptance of their last Remittance, and to believe that I am,

Gentlemen,
Yo^r^ most obedient
Humble servant
HENRY NEWMAN.

My former went
by Capt^n^ Steel.

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[P. 345.] Pro: N. Hamp^r^.

At a Gen^l^ assem held at Portsm^o^ by Prorogation y^e^ 19^th^ October 1724.

Present In Council

His Honour John Wentworth, Esq^re^ Lieu^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffrey } Esq^re^

Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ Macpheadris } Esq^rs^

Jno Frost, Joth Odiorne } Esq^rs^

A Message to the house by Geo: Jaffrey Esq^re^ and Arch^d^ Macpheadris Esq^re^ & the Clerk to Prorogue the Gen^l^ assembly & they were accordingly

Prorogued til y^e^ 16^th^ of Novemb^r^ Next.

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Pro: N. Hamp^re^

At a Gen^l^ assembly held at Portsm^o^ by Prorog^a^ 9^br^ 16^th^ 1724.

Present In Council
at y^e^ Lieu^t^ Gov^r^ house
His Honour John Wentworth Esq Lieu^t^ Gov^r^

Mark Hunking, Shad^a^ Walton } Esq^rs^ — Rich^d^ Wibird, Jn^o^ Frost } Esq^rs^

Jotham Odiorne Esq^re^

A Message to the house by Jotham Odiorne Esq and y^e^ Clerk to require their attend^a^ at the board the Speaker and house came up accordingly to whom His Hon^r^ addressd himself in y^e^ following speech.

*Gentlemen,*

I have at all times manifested my concern for the welfare of this Province & people and I now give you fresh Instances of my readyness to do anything that is in my power that may add to Its Peace and prosperity.

It will be very pleasing to me to See the business of this Sessions meet w^th^ dispatch yet not in a hurry but to give every thing Its due consideration.

[P. 346.] I was in great expectation that our forces Eastward would have met with better success, but the Season of the year being so far advanced, and our men much fatigued by its long march w^th^ other concurring circumstances put an End to that Expedition.

The present expensive warr we are Engaged in dayly increases y^e^ Charge of y^e^ Province so I find there will be a necessity of Striking or emitting more bills of Credit in order to discharge y^e^ extraordinary demands of the warr. I would put you in mind y^t^ due care be taken that what bills of Credit are annually brought in by tax on y^e^ Inhabitants be burnt to ashes according to act of Gen^l^ assembly and not Issued out of the Treasury again on any pretence whatsoever.

It would be an honour to this Government to make suitable provision for changing such bills of Credit of this Province as are so defaced that they will not pass from man to man, and appoint a Person or Persons for the Same.

The expence of the Province for the year I have managed with

all possible frugality, and what mony you raised the last Session has been apply'd to y^e^ Uses it was designed for.

I have ordered M^r^ Treasurer Penhallow to lay before you the Publick accounts, and the Muster Rolls to be brought in, that so they may be Examin'd & Adjusted.

I doubt not but you will allow such Supplys of Money to the Treasury as may be wanting to discharge the Just debts of the Province, and also make Honourable Provision for the Support of this His Majesty's Government.

By The last Ships I Rec^d^ letters from His Excellency Gov^r^ Shute, who Intends here y^e^ next Spring haveing a prospect of Composing his affairs by that time. His Excellency Thinks himself neglected (Since he is there serveing y^e^ Province at his own Expence) That the assembly dont make him Some hansome allowance. I am very well assured that he has and will do us any Service in his Power.

This Gentlemen you may remember I have frequently recommended to your Consideration.

M^r^ Agent Newman has also wrote me by some of the last Ships from Great [p. 347.] Brittain That he Is Still Soliciting about the line and Stores for Fort W^m^ & Mary but as yet not the desired Success but yet in expectation of bringing it to a good Issue

J. Wentworth.

A Copy of The foregoing Speech being desired by the Speaker in behalf of the house y^e^ same was delivered him by y^e^ Clerk, & then the house w^th^ drew to their own Chamber.

Adjornd Til tomorrow 9 a Clock A. M.

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Pro: N. Hamp^re^.

At a Genl assembly held at Portsm^o^ by adjornm^t^ 9^br^ 17^th^ 1724.

Present In Council

His Hon^r^ Jn^o^ Wentworth Esq^re^ L^t^ Gov^r^.

Samuel Penhallow, Mark Hunking } Esq

Geo. Jaffrey, Rich^d^ Wibird } Esq

Jotham Odiorne Esq^re^

A Message to the board by Cap^t^ Gillman w^th^ the following vote.

In the house of Represen^t^.

Voted That Maj^r^ John Gillman Andrew Wiggin Esq & M^r^ Theo: Atkinson be of y^e^ Committe of this house to joyn

with a Committe of the upper house to audit the accounts and Muster Rolls brought in this Session

9br 17th 1724, James Jeffry Cler Assem

In Coun$^{l}$ Eod$^{e}$ die

Read and Concurred and Mark Hunking Rich$^{d}$ Wibird and John Frost Esq$^{r}$ appointed for y$^{e}$ Service above.

Adjorn'd till tomorrow
10 a clock A. M.

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ Assem held at Portsm$^{o}$ by adjornm$^{t}$ 9br 18th 1724.

Present In Council

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking } Esq$^{re}$ — Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esq$^{re}$

Jotham Odiorne Esq

[p. 348.] The Committe appointed to New Proportion the Towns reported To the board that they were of opinion that matter might be as well deferr'd for about Six months &c (as pr y$^{e}$ report at large on file) Whereupon It was Voted as follows

In Coun$^{l}$ Nov$^{r}$ 18th 1724.

The above report was read and accepted

Rich$^{d}$ Waldron Cler Con

In the house of represen$^{t}$ Eod die.

Read and Concurr'$^{d}$ (w$^{th}$ this amendm$^{t}$) that It be deferr'd dureing y$^{e}$ Ind$^{n}$ warr.

James Jeffry Cler Assem

In Coun$^{l}$ Eod die

Concurr'd w$^{th}$ the amendment

Rich$^{d}$ Waldron Cler Con

Thomas Alden presented a Petition to y$^{e}$ board praying for an allowance of 7. 3. 6 out of y$^{e}$ Treasury for administering (as Doct$^{r}$) To one Pummery a Souldier now dec$^{d}$.

Ordered That Eleazer Colman Master of S'd Pummery be notified to appear next fryday at ye Council board to Inform what he knows Relating to the Premises.

Adjorned till tomorrow
10 a clock A. M.

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Pro: N. Hampre

At a Genl Assem held at Portsmo
by adjornmt Novr 19th 1724

Present In Coun[l]

His Honour John Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, Geo: Jaffry } Esqrs
Shada Walton, Richd Wibird, Jno Frost } Esqrs

Joth Odiorne Esqre

Adjorned til tomorrow 10 o'clock A. M.

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Pro: N. Hampre

At a Genl asseml held at Portsmo
by adjornmn't Novr 20th 1724.

Present In Coun[l]

His Honour John Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, Geo. Jaffry } Esqrs
Shada Walton, Richd Wibird, Jno Frost } Esqre

Adjorn'd till tomorrow 10 a'clock
A. M.

[P. 349.] Pro N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjornm't 9^br 21^st 1724.

Present In Coun^l

His Honour John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs
Shad^a Walton, Rich^d Wibird, Arch^d Macphreadis } Esq^rs
Jn^o Frost, Jotham Odiorne } Esq^rs

Adjorn'd til Monday y^e 23^d Instant,
3 a clock P. M.

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Pro: N. Hamp^re

At a Gen^l assem held at Portsmouth
by adjornm't Nov^r 23^d 1724.

Present In Coun^l

His Honour John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs
Shad^a Walton, Rich^d Wibird, Jn^o Frost } Esq^rs

Joth^m Odiorne Esq^re

Adjorn'd til tomorrow 10 a clock A. M.

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Pro N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjornm^t 9^br 24, 1724.

Present In Coun^l

His Hon^r John Wentworth Esq^re Lieut Gov^r

Sam^l Penhallow, Mark Hunking, Geo Jaffrey } Esq^rs
Shad^a Walton, Rich^d Wibird, Jn^o Frost } Esq^rs

Jotham Odiorne Esq^re

Adjorn'd till tomorrow 10 a clock A. M.

Pro: N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjornm^t Nov^r 25^th 1724.

Present In Coun^l

His Honour John Wentworth Esq L^t Gov^r

| | | | |
|---|---|---|---|
| Sam^l Penhallow<br>Mark Hunking<br>Geo: Jaffrey | Esq^rs | Rich^d Wibird<br>Arch^d Macphreadris<br>Joth Odiorne | Esq^rs |

A Message to the house by the Clerk to require their attend^a at y^e Council board upon y^e hearing of y^e Petition of y^e Commoners of Hampton praying for a Committe to lay out lands in Kingston Preferred last Session & then ordered to be heard at this time.

[P. 350.] The Speaker and house came up accordingly & the Commoners of Hampton & likewise y^e Commoners of Kingston being present and fully heard by their Counsel, y^e Partys departed after which y^e Speaker and house withdrew to their own Chamber to Consider thereof.

A Message to the house by Cap^t Macpheadris with y^e Petition of y^e Commoners of Hampton, & all y^e Papers relating thereto together w^th a vote of Council thereon.

Adjorn'd til tomorrow 10 a'clock A. M.

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Pro. N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjornmt Nov^r 26^th 1724.

Present In Coun^l

His Honour John Wentworth Esq^re L^t Gov^r

| | | | |
|---|---|---|---|
| Sam^l Penhallow<br>Mark Hunking<br>Geo: Jaffrey | Esq^rs | Shad^a Walton<br>Rich^d Wibird<br>Jn^o Frost. | Esq^rs |

A Message to the board by M^r Dennet and Cap^t Gillman w^th a vote of the house relating to Town Grants &c.

A Message to the board by Cap^t Gillman and M^r Sanburn w^th the report of y^e Committee of audit on the Treasurers

Acct which was immediately returned by Geo Jaffrey and John Frost Esq$^{rs}$

Adjorn'd til tomorrow
10 a'clock A. M.

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Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsm$^{o}$ by adjornm$^{t}$ 9$^{br}$ 27$^{th}$ 1724.

Present In Council

His Hon$^{r}$ John Wentworth Esq Lieu$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
Rich$^{d}$ Wibird, John Frost, Joth$^{m}$ Odiorne } Esq$^{rs}$

A Message to the board by Mess$^{rs}$ Downing & Sanburn w$^{th}$ a bill Entituled an Act for chuseing & Settling Gospell Ministers pass'd in y$^{e}$ house to be Engross'd But In Coun$^{l}$ Voted to lye for Consideration till next Session.

A Message to the board by Col$^{o}$ Davis & Cap$^{t}$ Tibbits with a bill against trespassers pass'd to be Engrost w$^{ch}$ was concurred w$^{th}$ in Council &c.

[P. 351.] A Message to the house by M$^{r}$ Jaffrey w$^{th}$ a Vote of Council relating to Grammar Schools &c which was returned to the board by Mess$^{rs}$ Easman & Sanburn Non-concurred.

By The Same Message came y$^{e}$ following Votes to the board.

In the House of Represen$^{t}$ Nov$^{r}$ 27 1724.

Voted That all those small Scouts that have been out for three or four days at a time be allow'd their provision, and those that have not had it but have found themselves, be allow'd and paid out of y$^{e}$ Publick Treasury one Shilling pr day in mony.

James Jeffry Cler assem

In Coun$^{l}$ Eod$^{m}$ die

Read and concurred

Rich$^{d}$ Waldron Cler Con

In the house of Represen$^{t}$ 9$^{br}$ 27$^{th}$ 1724

Voted That There be allowed to Sam$^{l}$ Penhallow Esq$^{re}$ the Sum of twenty pounds new england money for his good service done when in Great Brittain.

James Jeffry Cler assem

In Coun$^{l}$ Eod$^{m}$ die

Read and concurred Rich$^{d}$ Waldron Cler Con.

In the House of Represen$^{t}$ 9$^{br}$ 27, 1724.

Voted That Peter Colcard lately returned from Captivity w$^{th}$ the Indians obtained by his own Courage & ingenuity and giveing such acc$^{t}$ of y$^{e}$ Indians proceedings as may be advantageous to the Goverment & he being now gone on an Expedition ag$^{st}$ the Indians That he be allowed and paid out of the Treasury a sum of ten pounds a present from this Goverment when he returns.

James Jeffrey Cler assem$^{l}$

In Council Eod$^{m}$ die

Read and Concurred.

Richard Waldron Cler Con

In the House of Represen$^{t}$ 9$^{br}$ 20$^{th}$ 1724.

Voted That Joseph Smith be allowed and paid out of the Treasury for Seventeen [P. 352.] days Service as a Centinel James Jeffry Cler Assem

In Coun$^{l}$ Nov$^{r}$ 27$^{th}$ 1724.

Read and Concurred. Richard Waldron Cler Con

Adjorn'd til tomorrow 10 a Clock A : M:

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Pro : N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornment November 28$^{th}$ 1724.

Present In Coun$^{l}$

His Honour John Wentworth Esq$^{re}$ Lieu$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Joth$^{m}$ Odiorne } Esq$^{rs}$.

A Message to the board by Mess^rs^ Tibbitts & Sanburn w^th^ an answer to his Hon^r^ the Lieut Gov^rs^ Speech as follows

*May it Please Yo'r Honour*

Your Honour assures us of yo^r^ readyness to promote the prosperity of this Province at all times which we acknowledge and assure Your Honour that this house will Joyn with you to promote the peace and prosperity of y^e^ Same.

We are Sorry That our forces Eastward were so disappointed but Shall cheerfully and readily defray the Charges of the Same: and shall take all Imaginable care either by taxing or Emitting bills of Credit to furnish the treasury w^th^ a Sufficiency to defray the Charges of the year past and to carry on the warr, and other necessary charges of the Goverment for the year ensuing tho' It must be attended with great difficulty, It being so very Expensive, and Shall see all the bills of Credit that is Call'd in burnt according to the Acts requireing the Same.

As to the Exchanging the Defaced & torn bills of this Province, We desire some suitable Sum of mony may be put into the hands of a meet person to Exchange the Same that so the Honour of the Goverment and the Credit of our mony may be Supported.

As to what your honour is pleased to mention with respect to his Excellency Gov^r^ Shutes allowance, We always did when His Excellency was in America make a far greater [p. 353.] allowance than the Other Goverment of the Massachusetts considering the different Circumstances of the Goverments both as to Extent and people and when he returns our Governour we shall not onely pay the respects to his person and Commission due, but shall consider him with our Circumstances and allow him for any Service while amongst us.

As to M^r^ Newman we have had no answers to our letters from him since we made him a present for the getting the triennial Act past by which means we cannot Judge of any Service done.

PETER WEAR Speak^r^

A Message to y^e^ house by y^e^ Clerk to withdraw the vote of Council (ab^t^ y^e^ Petition of the Commissioners of Hampton) sent down y^e^ 25^th^ Instant.

A Message to the house pr M^r^ Jaffrey with the vote of the house sent up y^e^ 26^th^ Instant about Town Grants to be reconsidered.

A Message to the house by y^e^ Clerk with the Petition of Doctor Alden & his acc^t^ both preferr'd the 18^th^ Instant to be first past upon there.

A Message to the board by Mess^rs^ Easman and Downing with a Vote of the house for Striking and Emitting three

thousand pounds bills of Credit which was sent back by Geo: Jaffrey Esq^re^ to be reconsidered.

Adjorned till the ninth day
of December
Next.

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[P. 354.] Pro. N. Hamp^re^

At a Gen^l^ assembly held at Portsm^o^
by adjornment Dec^r^ 9^th^ 1724.

Present In Council

His Honour John Wentworth Esq Lieu^t^ Gov^r^

| | | | |
|---|---|---|---|
| Sam^l^ Penhallow | Esq^rs^ | Rich^d^ Wibird | Esq^rs^ |
| Mark Hunking | | Arch^d^ Macpheadris | |
| Geo: Jaffrey | | John Frost | |
| Shad^a^ Walton | | Joth Odiorne | |

Adjorned till tomorrow, 10 a'clock, A. M.

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Pro. N. Hamp^re^.

At a Gen^l^ assem held at Portsm^o^ by
adjornment Dec^r^ 10^th^ 1724.

Present In Council

His Hon^r^ John Wentworth Esq^re^ L^t^ Gov^r^

| | | | |
|---|---|---|---|
| Sam^l^ Pehnallow | Esq^re^ | Rich^d^ Wibird | Esq^rs^ |
| Mark Hunking | | Arch Macpheadris | |
| Geo: Jaffrey | | John Frost | |
| Shad^a^ Walton | | Joth Odiorne | |

A Message to the board by Mr Atkinson w^th^ the following vote,

In The house of Represen^t^ Dec 10^th^ 1724.

Voted, That There be two thousand pounds bills of Credit of this Province forthwith Impress'd and Sign'd off by a Committe to be appointed by both houses for the use of the Province, as the General assembly from time to time shall order, and that the treasury be supplyed from time to time with such part thereof as the Gen^l^ assembly Shall order for the defraying the charges of the Province, And

for a fund to defray the Same, that It be raised by a Tax on y^e^ Polls & Estates real and personal of the Inhabitants of this Province one thousand pounds thereof in the year 1733 & one thousand in 1734, and when brought into the Treasury to be burnt to ashes in the Presence of the Gen^l^ assembly. The Bills to be paid in mony or Such Species as shall from time to time be agreed upon by the Gen^l^ assembly, and that an act be drawn up accordingly, and that the Committe be allow'd & paid amongst them for the Signing thereof one & a half pr Cent.

James Jeffry Cler assem

In Coun^l^ Eod^m^ die

Read and Concurred. Rich^d^ Waldron Cler Con

[p. 355.] A Message to the board by Mess^rs^ Downing and Tibbits with the following votes,

In The house of Represen^t^ Dec^r^ 10^th^ 1724.

Voted That James Davis Esq^re^ be paid out of the publick Treasury the Sum of Eight pounds Six Shillings in full discharge of his Demands for his Service ab^t^ y^e^ Province line &c

James Jeffry Cler assem

In Coun^l^ Eod^m^ die

Read and Concurred. Rich^d^ Waldron Cler Con

In The house of Represen^t^ Dec^r^ 10^th^ 1724.

Voted That the Reverend M^r^ Rust* be presented with forty Shillings out of the Treasury for attending y^e^ L^t^ Gov^r^ Eastward as Chaplain &c

James Jeffry Cler assem

In Coun^l^ Eod^m^ die.

Read and Concurred

Rich^d^ Waldron Cler Con

In The house of Represen^t^ Dec^r^ 10^th^ 1724

Voted That James Jeffry be paid out of the Publick

* Rev. Henry Rust or Russ, of Stratham, was settled over the Congregational church in that place 1718, died 1740, aged 63. He went eastward to attend the funeral of Homeck, the Indian.

Treasury the sum of ten pounds for his Service as Clerk of the assembly for y^e^ year 1724, from y^e^ 29^th^ of Nov^r^ 1723 to y^e^ 29^th^ of Nov^r^ 1724, and that his honour the Lieu^t^ Gov^r^ be desired to Issue out his warrant to the Treasury accordingly & that sum to be in full for his years service.

Peter Wear Speak^r^

In Coun^l^ Eod^m^ die

Read and Concurred Rich^d^ Waldron

In The house of Represen^t^ Dec^r^ 10^th^ 1724

Voted That one hundred pounds of the two thousand pounds now to be impress'd be putt into the hands of John Gillman Esq^re^ by the Signers thereof to purchase Pork and bread for the use of the Province to supply the Scouts as shall be sent to him from y^e^ Government

James Jeffry Cler Assem

[p. 356.] In Council Eodm die

Read and concurred.

Rich^d^ Waldron Cler Con

In the house of Represen^t^ Dec^r^ 10^th^ 1724.

Voted That John Plaisted Esq^re^ Cap^t^ W^m^ Fellows & M^r^ Theodore Atkinson be a Committe of this house to Joyn w^th^ a Committe of the upper house to receive & examine the Province accounts in the recess of the assembly and make them ready to lay before the Gen^l^ assembly for allowance next Sessions

James Jeffry Cler assem

In Council Eod die

Read and Concurred and Voted that Mark Hunking Rich^d^ Wibird and John Frost Esq^re^ be of y^e^ Committee of y^e^ board for the Service above

Rich^d^ Waldron Cler Con

In the house of Represen^t^ Dec 10^th^ 1724.

Voted That Walter Warren be paid out of y^e^ Publick Treasury forty two Shillings in full of his account on file.

James Jeffry Cler assem

In Coun$^{l}$ Eod$^{m}$ die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

A Message to the board pr M$^{r}$ Dennet w$^{th}$ the following vote.

In The house of Represen$^{t}$ Dec$^{r}$ 10$^{th}$ 1724.

Voted That Cap$^{t}$ William Fellows & M$^{r}$ Theodore Atkinson be of y$^{e}$ Committe of this house to Joyn a Committe of the upper house to tell over the old broken defaced bills of the first Impression that may be brought in this assembly to be burnt.

James Jeffry Cler assem

In Council Eod die

Read and Concurred & Voted that John Frost and Jotham Odiorne Esq$^{rs}$ be of y$^{e}$ Committe from y$^{e}$ board for y$^{e}$ Service above.

Rich$^{d}$ Waldron Cler Con

Adjorn'd til tomorrow
10 a'clock A : M :

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[P. 357.] Pro : N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsmouth by adjornment Dec$^{r}$ 11$^{th}$ 1724.

Present In Coun$^{l}$

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow<br>Mark Hunking<br>George Jaffrey<br>Shad$^{k}$ Walton | Esq$^{rs}$ | Rich$^{d}$ Wibird<br>Arch$^{d}$ Macpheadris<br>John Frost<br>otham Odiorne | Esq$^{rs}$ |

A Message to the board by Mess$^{rs}$ Atkinson and Fellows with the following vote.

In The house of Represent Dec$^{r}$ 11$^{th}$ 1724.

Voted That Every Souldier in the pay of this Province in Scouting or Marching that will Supply himself with full

provisions Shall be allowed and paid out of the Publick Treasury twelve pence pr day for the Same.

James Jeffrey Cler Assem

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

A Message to the board pr M$^{r}$ Atkinson w$^{th}$ the following Votes.

In The house of Represen$^{t}$ Dec$^{r}$ 11$^{th}$ 1724

Voted That there be twenty pounds pr annum added to the former Establishment of y$^{e}$ officers & Sould$^{rs}$ at Fort W$^{m}$ & Mary each one to have four pounds pr annum of Said Sum paid him henceforward out of the Publick Treasury.

James Jeffrey Cler Assem

In Coun$^{l}$ Eod die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

In the house of Represen$^{t}$ Dec 11$^{th}$ 1724.

Voted That John Plaisted Esq$^{r}$ and M$^{r}$ W$^{m}$ Fellows be of the Committe of this house to joyn with such as thee upper house Shall appoint for the drawing an act according to the vote past yesterday for the Impressing two thousand pounds for the use of y$^{e}$ Province as the Gen$^{l}$ assem$^{l}$ shall see fit. James Jeffry Cler assem

In Coun$^{l}$ Eod die.

Read and Concurred and Geo: Jaffry & Arch$^{d}$ Macpheadris Esq$^{rs}$ appointed from y$^{e}$ board for y$^{e}$ Service above.

Rich$^{d}$ Waldron Cler Con.

[P. 358.] A Message to the board by Cap$^{t}$ Jn$^{o}$ Gillman w$^{th}$ the following vote.

In The house of Represen$^{t}$ Dec$^{r}$ 11$^{th}$ 1724.

Voted That M$^{r}$ Speaker Wear & Jn$^{o}$ Plaisted Esq$^{re}$ be of the Committe of this house to joyn with a Committe of the upper house for the signing the two thousand pounds now to be Impressed. James Jeffry Cler assem

In Council Eod die.

Read and Concurred and Mark Hunking & George Jaffrey Esq^rs^ appointed to Joyn the Gentlemen above for y^e^ Service above. Rich^d^ Waldron Cler: Con

A Message to the board by Maj^r^ Gillman and Cap^t^ Tibbits w^th^ the following Votes.

In the House of Represen^t^ Dec^r^ 11^th^ 1724.

Voted That there be Signed off of the two thousand pounds now to be impressed the Sum of Seven hundred pounds and put into the treasury for the payment of the Sundry debts now allowed and remaining due from the Province and other Contingent Charges that may happen, and that His Honour the Lieu^t^ Gov^r^ be desired to Issue out warrants for y^e^ payment of what is yet unpaid and for payment of the Contingencies

James Jaffry Cler assem

In Coun^l^ Eodem Die

Read and Concurred.

Rich^d^ Waldron Cler Con

In The house of Represen^t^ Dec^r^ 11^th^ 1724.

Voted That Jotham Odiorne Esq^re^ be allowed & paid out of the Treasury the Sum of thirty four Shillings & 3^d^ pence

James Jeffry Cler assem.

In Coun Eod die

Read and Concurred.

Rich^d^ Waldron Cler: Con

The Committe appointed for Exchanging the defaced broken bills of the old Impression delivered to the Gen assembly of S^d^ Broken bills two hundred and four pounds & five Shillings which was burnt to ashes in Presence of the Said Gen^l^ assembly, of which S^d^ Sum the Persons who Delivered the Same are hereby discharged (That is to Say)

[p. 359.] Rich^d^ Wibird Esq^re^ of the Sum of one hundred & three pounds thirteen Shillings & nine pence 103 13 9

| | | | |
|---|---|---|---|
| Geo Jaffrey Esq$^{re}$ of thirty six p$^{ds}$ Sixteen Shill$^{s}$ & 3$^{d}$ | 36 | 16 | 3 |
| Peter Wear Esq$^{re}$ of twenty six p$^{ds}$ Eighteen Shill$^{s}$ & 6$^{d}$ | 26 | 18 | 6 |
| John Gillman Esq$^{re}$ of thirty six p$^{ds}$ Sixteen Shill$^{s}$ & 6$^{d}$ | 36 | 16 | 6 |
| | £204 | 5 | 0 |

John Plaisted Esq$^{re}$ one of the Committe for Exchanging y$^{e}$ broken defaced bills, Delivered to the Gen$^{l}$ assembly of said bills fifty one pounds Eight Shillings w$^{ch}$ was burnt to ashes and of w$^{ch}$ S$^{d}$ Sum of £51 8 The S$^{d}$ Plaisted is hereby discharged.

Adjorned till tomorrow 10 a'clock

A : M :

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Pro. N. Hamp$^{r}$

At a General assembly held at Portsm$^{o}$ by adjornm't Dec$^{r}$ 12 1724.

Present In Coun$^{l}$

His Honour John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo : Jaffrey Esq$^{rs}$ — Rich$^{d}$ Wibird, Arch$^{d}$ Macpheadris, Joth Odiorne Esq$^{rs}$

Mark Hunking Esq one of the Committe for Exchang$^{a}$ y$^{e}$ old broken bills D'$^{d}$ to the Gen$^{l}$ assem$^{l}$ of S$^{d}$ bills twenty nine pounds fifteen Shillings and Six pence w$^{ch}$ was burnt to ashes & he is hereby discharged of y$^{e}$ S$^{d}$ sum of £29 15 6.

A Message to the board by Mess$^{rs}$ Fellows and Tibbits with the following votes.

In The house of Represen$^{t}$ Dec$^{r}$ 12$^{th}$ 1724

In answer to His Honour The Lieu$^{t}$ Governour and Gen$^{l}$ assembly of the Province of the Massachusetts, requesting our Joyning w$^{th}$ them New York Connecticut & Road Island Governments in Sending Commissioners to Mons$^{r}$ Vandrevil Gov$^{r}$ of Canada, Resolved That His Hon$^{r}$ the

Lieu$^{t}$ Gov$^{r}$ be desired to Commissionate a Suitable person to represent this Government to Joyn w$^{th}$ the Commissioners of the Governments afore said to go to Mons$^{s}$ Vandrevil Gov$^{r}$ of Canada and Demand of him all and Every of His Majestys Subjects that have been captivated by the Indian Enemy and carryed into and detained in any part of his Government & likewise demand y$^{t}$ the Said [p. 360.] Governour Vandrevil withdraw the Countenance and assistance which in violation of the Treaty of Utrecht and contrary to the friendship & alliance between the two Crowns he has given to the Said Indians in the Prosecution of their unjust warr against His Majestys Subjects of these Colonies, otherwise if our friend Indians who have hitherto been with difficulty restrained Should in pursuit of the Enemy Indians commit hostilitys upon the french familys who dwell promiscuously with them as have been by the french Indians Committed upon y$^{e}$ Inhabitants of this Province, the blame will be entirely oweing to his own Conduct and likewise Inform him that if the Indians Shall Still persist in the warr against us the Several English Governments will find themselves oblidged with their united force (by the help of God) to prosecute and pursue them to the uttermost, and That His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ be desired to give his Instructions to The Comission$^{r}$ according to the above resolve. James Jeffry Cler assem

In Council Eod die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

In The house of Represen$^{t}$ Dec$^{r}$ 12$^{th}$ 1724.

Voted That y$^{e}$ Charges of y$^{e}$ Commissioner to be appointed on the within Vote be Supplyed and paid out of the Publick Treasury.

James Jeffrey Cler assem

In Coun Eod die

Read & Concurred

Rich$^{d}$ Waldron Cler Con

In the house of Represen$^{t}$ Dec$^{r}$ 12$^{th}$ 1724.

Voted That His Honour The Lieu$^{t}$ Gov$^{r}$ haveing the whole Goverment as Commander in Chief Still Continued upon him be presented w$^{th}$ the Sum of one hundred pounds for his Extraordinary Service done the Goverment in this time of warr & that It be paid him out of the Publick Treasury, and that he be also desired to Issue out his warrants for the Payment of y$^{e}$ allowances made this assembly.

James Jeffrey Cler assem

In Coun$^{l}$ Eod die

Read and Concurred

Rich$^{d}$ Waldron Cler: Con

[P. 361.] A Message to the board by Mess$^{rs}$ Fellows & Atkinson with the following report and votes thereon.

The Committe of audit whose names are underwritten haveing Examin'd the Several Muster Rolls that lay before us Do report as followeth (viz)

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| N° 1 | a Muster Roll Sign'd And$^{w}$ Glidden allow'd | | | | £108 | 16 | 4 |
| 2 | a Muster Roll Sign'd Moses Norris allow'd | | | | 97 | 7 | 7 |
| 3 | a Muster Roll Sign'd Jon$^{a}$ Sanburn for wages | £72 | 10 | 10 | all'd | | |
| | & victualling | 41 | 9 | 3 | 115 | 0 | 1 |
| 4 & 5 | 2 Muster Rolls sign'd John Footman for | 13 | 2 | 4 | all'd | | |
| | and | 32 | 12 | 8 | 45 | 15 | — |
| 6, | a Muster Roll sign'd Jos Roberts allow'd | | | | 54 | 18 | 10 |
| 7, | a Muster Roll Sign'd W$^{m}$ Jones allow'd | | | | 49 | 1 | — |
| 8 | a Muster Roll Sign'd Abrah Clark allow'd | | | | 11 | 7 | 6 |
| 9 | a Muster Roll Sign'd W$^{m}$ Hill allow'd | | | | 17 | 2 | 8 |
| 10 | a Muster Roll Sign'd Jon$^{a}$ Prescott allow'd | | | | 50 | 3 | 4 |
| 11 | a Muster Roll Sign'd Benj$^{a}$ Wentworth allowed | | | | 99 | 13 | 2 |
| 12 | a Portlege bill Sign'd Walter Stewart as Mast$^{r}$ & Steward in the Scooner Fortune w$^{th}$ Cap$^{t}$ Wentworth Eastward allow'd 17 4 6 | | | | 17 | 4 | 6 |
| | | | | | £666 | 10 | — |

All the above Muster Rolls being Examin'd We find them right Cast and well vouch'd amounting in all to Six hundred Sixty Six pounds ten Shillings: And as to the twelve Small rolls following we have examin'd them and find that they are transient Scouts, Except Meeds N° 16, which we allow when Sworn to.

John Gillman — Mark Hunking
And$^{w}$ Wiggin — Rich$^{d}$ Wibird
Theo$^{re}$ Atkinson — Jn° Frost

In The house of Represent Decr 12th 1724

Voted The above return be accepted & that the Severall Sums Carry'd off be paid out of the Publick Treasury to the Persons against which Sd Sums are carry'd off.

James Jeffry Cler Assem

In Coun$^{l}$ Eod die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

[P. 362.] Sundry Small Muster Rolls Examined and referr'd to y$^{e}$Gen$^{l}$ assembly Numbered as in the Margin as followeth (viz)

| | | £ | s | d |
|---|---|---|---|---|
| N° 13 | 2 Muster Rolls one Sign'd Jon$^{a}$ Sanburn but 5 men 3 days | = | 15 | |
| | & one John Sanburn 31 men 3 days | 4 | 13 | |
| 14 | Ditto Sign'd Nath$^{l}$ Lad | 4 | | |
| 15 | Ditto Sign'd James Leavit 20 men 3 days | 3 | | |
| 16 | Ditto Sign'd John Meed | 5 | 5 | 10 |
| 17 | Ditto Sign'd Jos: Weeks 50 men 4 days | 10 | | |
| 18 | Ditto Sign'd Dan$^{l}$ Wear 40 men 6 days | 6 | | |
| 19 | Ditto Sign'd And$^{w}$ Wiggin 39 men 4 days | 7 | 16 | |
| 20 | Ditto Sign'd John Gillman 31 men 3 days | 4 | 13 | |
| 21 | Ditto Sign'd Stephen Greenleaf 22 men 4 days | 4 | 8 | |
| 22 | Ditto Sign'd John Gillman but 2 days | — | — | — |
| 23 | Ditto Sign'd Thomas Davis 21 men 4 days | 4 | 4 | |
| 24 | Ditto Sign'd Benj$^{a}$ Lamprey 17 men 3 days | 2 | 11 | |
| | | £57 | 5 | 10 |

In The House of Represent Decr 12th 1724.

Resolved That the above Sum be allow'd and paid out of the Publick Treasury to the order of the Persons to whom it be due.

James Jeffry Cler: assem

And That the Seven men whose names are written on the right hand of Moses Norris's Muster roll be paid out of the Publick Treasury for eight days each (more than is Carry'd off in Said Roll) as Centinels

James Jeffry Cler assem

In Council Eod die

Read and Concurred

Rich$^{d}$ Waldron Cler Con

In The House of Represent$^{t}$ Dec$^{r}$ 12$^{th}$ 1724.

Voted—That M$^{r}$ Edward Toogood be paid out of the Publick Treasury the Sum of Seventeen Shillings and Sixpence in full of all his demands on his acc$^{t}$ on file.

James Jeffry Cler assem

In Coun$^{l}$ Eod die

Read and Concurred.

Richard Waldron Cler Con

[p. 363.] A Message to the board by John Gillman Esq$^{re}$ and Cap$^{t}$ Samuel Tibbits with the vote

In The House of Represent$^{t}$
Dec$^{r}$ 12$^{th}$ 1724.

Resolved, That Susanna Small be allow'd and paid out of the Publick Treasury the Sum of twelve pounds for house rent fire and Candles for the Gen$^{l}$ assem & Court from October 1723 to October 1724.

James Jeffry Cler assem

In Council Eod die

Read and concurr'd

Rich$^{d}$ Waldron Cler Con

The Two following Bills being Ingross'd & Prepared for the Seal by order of the Gen$^{l}$ assem (viz)

1$^{st}$ An act in addition to and for rendering more Effectual an act made in y$^{e}$ 13$^{th}$ year of the reign of King William the third, entituled an act against trespassing in Town Commons and an act made in the Sixth year of the reign of Queen Ann Entituled an act for Preventing Trespasses.

2$^{d}$ an act for striking and Emitting the sum of two thous$^{d}$ pounds publick bills of Credit.

The Same was Signed & Sealed and then His Hon$^{r}$ was pleased to prorogue the Gen$^{l}$ assem and accordingly they were

Prorogued till Wednesday the
5$^{th}$ of May Next

Further Prorogued by Proclamation
till y^e 17 of Said May

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[P. 364.] Pro : N. Hamp^re

At a Gen^l assem held at Portsm^o by
Prorog^a May 17^th 1725
Present In Council
His Honour John Wentworth, Esq^re L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo : Jaffrey } Esq^rs
Shad^a Walton, Rich^d Wibird, John Frost } Esq^rs
Joth Odiorne Esq^re

A Message to the house by the Clerk to require their attend^a at the board, the Speak'r and house came up accordingly to whom His Hon^r the Lieu^t Gov^r was pleas'd to make y^e following speech,

*Gentlemen*

I have lately rec'd letters from Gov^r Shute who advises me that the Court is so taken up w^th affairs of Greater moment, that he finds great difficulty in finishing his business & that he will return to New England so soon as he has the Kings Commands

M^r agent Newman's Memorial to M^r Secretary Walpole for Stores to Fort William and Mary I shall lay before you, as also his letter about the lines, which hope you will take into consideration.

I have order'd a Small Scout of twenty men to range our frontiers, but as yet made but little discovery. I suppose we shall think it proper to make an addition of forty men to our Scouts. We have often found by wofull Experience y^e sending small numbers into y^e Country altho the Charge be more yet we act w^th greater Safety and in the end find our account in it by discourageing our Enemies & also the preservation of the lives of our People.*

I would recommend to you the further Encouraging Volunteers by adding two Shillings & Sixpence pr day to the hundred pound act for every day they are on Service.

There is in the Treasury one thousand & Seventy Six pounds Sixteen Shillings which by act of Gen^l assembly is to be burnt to ashes this present Sessions and a Tax is to be laid on the Inhabit-

* There may be an allusion in the above to the bloody and disastrous fight between Capt. John Lovewell with his thirty-four men, and the Indians, at Pigwacket, on the 8th of May, 1725, the latter numbering, it is believed, not less than seventy. For detailed accounts of this terrible fight, see *Penhallow's Indian Wars, Farm. Belk., pp.* 209–212; *Farm. & Moore's Hist. Coll., Vol.* 1. *pp.* 26-36; *also a Pamph'et edition of Rev. Thomas Symmes' Memoir of the fight, with notes by Rev. N. Bouton, Concord,* 1861.

ants for one thousand & Seventy Six pounds Sixteen Shillings for this Present Year in order to be burnt. These Sums have been already postponed. Its the Honour of all Goverments to Execute their own acts Especially what relates to mony.

[P. 365.] I must reccommend to your Consideration the Great difficulty the Ministers of the Gospel labour under by the sinking Credit of our paper mony whereby those that ten or twelve years past contracted for one hundred pounds pr year with their Parishes have by y^e^ debaseing of our paper Credit their Salaries are reduced to fifty or Sixty pounds which very greatly affects their familys & must be a Great discouragement to them in their Ministry.

I again reccommend to you that you'l think of some method that may put a stop to Counterfeiting paper bills of Credit. They have but a poor Credit at best & certainly they will yet be worse, in case the practice of Counterfeiting prevail.

I Rec'd an Express from L^t^ Gov^r^ Dummer giveing an acc^t^ that Cap^t^ Lovel had met w^th^ a party of Indians at or near Pigwocket which broke Cap^t^ Lovel's Company in pieces. I have sent fifty two men und^r^ Command of Cap^t^ Jon^a^ Chesley and to make the best of his way to Ossaby and Pigwocket, and there make diligent Search for Cap^t^ Lovel's Fort &c & to relieve any wounded men they may meet in their way thither or Else where.

M^r^ Atkinson our Commissioner to Canada is returned and has brought a letter from the Gov^r^ of Canada which was ordered to be translated, and then Shall lay it before you, also what was transacted by M^r^ Atkinson.

I hope you will Consider the Expence of the war upon us and make timely provision accordingly by enabling the Treasurer to discharge y^e^ Expensive war that now lies on us as also for the Hon^ble^ Support of this His Majestys Goverment.

May 17: 1725 JN^o^ WENTWORTH.

A Copy of the foregoing Speech being desired by the Speak^r^ the Same was presented him, & then He & the house withdrew to their own Chamber.

Adjorn'd till tomorrow 10 o'clock

A : M.

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[P. 366.] Pro: N. Hamp^re^

At a Gen^l^ assem held at Portsm^o^ by adjornm^t^ May 18^th^, 1725.

Present In Coun^l^

His Honour John Wentworth Esq Lieu^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs^

Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ Macpheadris } Esq^rs^

A Message to the house by the Clerk w^th^ a Vote of Council for a Committe to Count over the bills of Credit now to be burned, w^ch^ was returned by Mess^rs^ Tibbits & Dennet & is as follows

In Coun May 18^th^ 1725

Voted—That Col^o^ Walton and Cap^t^ Macpheadris be a Committe to Joyn with others of the house to Count over the bills of Credit now to be burn'd and that It be done with all convenient speed.

Rich^d^ Waldron Cler Con

Eod die In the house of Represen^t^

Voted That Mess^rs^ Eph^a^ Dennet & Theod^re^ Atkinson be of the Committe to Joyn with the Gentlemen above for Counting over the bills of Credit now to be burn'd

James Jeffry Cler assem

Geo. Jaffrey Esq^re^ laid the following receipts before the board, and pray'd the Same might be entered in the Council book which was ordered accordingly

(viz) Pro N. Hamp^re^ Jan^ry^ 25 & feb^ry^ 4^th^ 1724,

Received of George Jaffrey Esq^re^ from the Committe for Signing bills of Credit for the Supply of the Treasury, the Sums of Seven hundred pounds bills of Credit.

700£ pr Sam^l^ Penhallow

Pro: N. Hamp^re^.

Rec^d^ of Geo: Jaffrey Esq from y^e^ Committe for Signing bills of Credit the Sum of one hundred pounds Pro: bills pr order of the Gen^l^ assem on acc^t^ of Provisions.

John Gillman

Adjorn'd till tomorrow
10 a'Clock A: M:

[P. 367.] Pro N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjornm^t May 19^th 1725.

Present In Coun^l

His Hon^r John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey, Shad^a Walton — Esq^rs
Rich^d Wibird, Arch^d Macpheadris, John Frost, Joth Odiorne — Esq^rs

The reverend M^r Hugh Adams presented a Manuscript to the board entituled a Theosophical Thesis &c w^th a Preface (alias Dedication) directed to His Hon^r The L^t Gov^r & Gen^l assembly Praying the Countenance of the Goverment for the printing of the Same, w^ch was Sent down to the house by the Clerk.

Adjorn'd till tomorrow
10 a'Clock A: M.

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Pro N. Hamp^re

At a Gen^l assem^l at Portsm^o by adjornm^t
May 20^th 1725,

Present In Coun^l

His Hon^r John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey, Shad^a Walton — Esq^rs
Rich^d Wibird, John Frost, Joth Odiorne — Esq^rs

A Message to the board by Mess^rs Easman and Downing w^th Mr Adams Manuscript Sent down yesterday together w^th a Vote thereon which was concurr'd with and is as follows.

In the house of Represen^t
May 20^th 1725,

Whereas the Reverend M^r Hugh Adams hath address'd a Manuscript to His Hon^r the Lieu^t Gov^r and General assembly, Entituled a Theosophical Thesis &c w^th an appendix und^r the title of remarkable Instances &c Praying

the Countenance and Grant of the Goverm$^{t}$ for the Publication thereof

Now Forasmuch as the Contents of S'd Manuscript are principally Controversal points of Divinity & Some Enthusiastical accounts of God's Judgements &c & therefore more properly the object of Consideration for an Ecclesiastical than a Civil Council,

[P. 368.] Voted That The Reverend the Gospell Ministers of this Province be, and hereby are desired to take the S$^{d}$ whole Manuscript under their Consideration, & report to His Honour and the General assembly their opinion thereon to the End that the Publication thereof may be Countenanced or discouraged, and the S$^{d}$ Manuscript disposed of as may be most for y$^{e}$ Glory of God.

James Jeffrey Cler assem

In Coun Eod die.

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con.

Cap$^{t}$ Sam$^{l}$ Weeks and others Presented a Petition to the board directed to the Gen$^{l}$ assembly, Praying for an Elargem$^{t}$ of the Parish of Greenland

Adjorn'd til tomorrow
10 a'clock: A: M.

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Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornm$^{t}$ May 21$^{st}$ 1725,

Present In Coun$^{l}$

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird, Joth Odiorne } Esq$^{rs}$

A Message to the board by Mess$^{rs}$ Downing and Tibbits w$^{th}$ the following Vote

In the House of Represen$^{t}$ May 21$^{st}$ 1725

Whereas The Town of Lond$^{o}$ Derry hath lived under

this Goverment for Several Years past, and hath neither as yet paid any rates for the Support of the Goverment nor Sent any person to represent said Town in Gen$^{l}$ assembly,

Voted That The Govern$^{r}$ be desired to Send a Precept to Said Town of Lond$^{o}$ Derry to Send a meet person to represent Said Town in Gen$^{l}$ assem at the next fall Sessions, and to bring a list of their rateable Estates that they may be assessed accordingly.

James Jeffrey Cler assem

In Coun$^{l}$ Eod die.

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

Adjorn'd till tomorrow 10 o'clock A. M.

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[P. 369.] Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornm$^{t}$ May 22$^{d}$ 1725.

Present In Coun$^{l}$

His Hon$^{r}$ John Wentworth Esq L$^{t}$. Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$ — Rich$^{d}$ Wibird, Arch Macpheadris } Esq

A Message to the board by Mess$^{rs}$ Fellows and Atkinson w$^{th}$ the answer of the house of Represen$^{t}$ to His Honours Speech (as follows)

*May it Please Yor Hon'r*

In Your Speech to this house you gave us advice of a letter from Governour Shute of his return to New England as soon as he has the Kings Command. We are glad to hear of his health and when he returns to New England our Gov$^{r}$ as such we Shall receive him, and as for M$^{r}$ Newmans letter which Informs us of y$^{e}$ difficulty he meets w$^{th}$ in attaining stores for the Fort Will$^{m}$ & Mary and Settling the line between the two Provinces, We are sorry for our Misfortune in that affair We thank your Hon$^{r}$ for your care and Conduct in Sending a Scout of twenty men to guard our frontiers & think proper to add to their number. As for the Encouragem$^{t}$ of Voluntiers we shall take it into our consideration. As for y$^{e}$ Mony which is in y$^{e}$ Treasury to be burn'd, and what is to come in for that end we shall take Effectual care to Execute all our Acts

relating to that affair according to the Intent of them. As for the Great Difficulty the Ministers of the Gospell labour under by reason of the Sinking Credit of our paper bills we shall take all the care that we can to recover y^e^ Currency of our bills and raise their Value and hope that in the mean time all the Parishes within this Province will Manifest that respect to their faithful Ministers as to afford them a sufficient Support as being oblidged thereto by the laws already made for that end. As for the misfortune of Capt Lovel and his men We desire to be humble before God for so great a frown of His Providence and [p. 370.] thank You^r^ Honour for Sending a Company for y^e^ relief of any that may be yet alive.

We rejoice to see M^r^ Atkinson safe return'd from Canada, and as for the letter he has brought from the Governour, we shall know better how to answer when we know the Contents thereof, and Shall take care to raise money for the war and the Hon^ble^ Support of the Goverment.

James Jeffry Cler: assem

A Message to the board by Mess^rs^ Fellows and Atkinson w^th^ y^e^ following report and Votes.

May 21^st^ 1725 We the Committe of both houses appointed by Vote of Gen^l^ assembly for Examining the Pro: accompts Do allow the Several Sums hereunto annexed haveing Examin'd y^e^ Same.

| | | £ | s | d |
|---|---|---|---|---|
| 1. | To Cap^t^ Josh^a^ Pierce for his vessel in y^e^ Prov: Service in full | 20: | —: | — |
| 2. | To Cap^t^ Frost's accompt for the Fort | 32: | 11: | 8 |
| 3. | To Cap^t^ W^m^ Fellows acc^t^ for Expences | 3: | 1: | 1 |
| 4. | To John Wilsons acc^t^ Ditto | 5: | 9: | 2 |
| 5. | To John Pencock for Cleaning arms | 1: | 6: | — |
| 6. | . . . . . | | | |
| 7. | To Benj^a^ Acreman for his Service in 1724 | 7: | —: | — |
| 8. | To M^rs^ Susanna Small for Supply of Lovel's Comp^a^ | 8: | 11: | 10 |
| 9. | To Ditto acc^t^ for y^e^ Committe & Gov^r^ & Coun^l^ | 8: | 9: | — |
| 10. | To Joth Odiorne Esq^re^ for charges & Printing bills | 2: | —: | — |
| 11. | To Soloman Cottons acc^t^ for Expences of y^e^ Militia, 1725 | 1: | 10: | 7 |
| | To Cap^t^ Nath^l^ Hill £4: 4 to be paid him that was allowed x^br^ 12^th^ in Gen^l^ assem^l^ for Thomas Davis's Scout Hill haveing Supply'd out of the Country Store | 4: | 4: | — |
| | To Col^o^ Hunking 5 days Examining y^e^ acc^ts^ | 1: | 5: | — |
| | To Col^o^ Plaisted Ditto Rich^d^ Wibird Esq^rs^ y^e^ Same | 2: | 10: | — |
| | To John Frost Esq^re^ Ditto & Cap^t^ W^m^ Fellows | 2: | 10: | — |
| | | £100: | 8: | 4 |

Mark Hunking
Rich^d^ Wibird
Jn^o^ Plaisted
W^m^ Fellows
} Committe.

May 21st 1725, In the house of Represent

Voted That the above returns of the Committe for auditing ye Public accompts be allow'd and paid out of the Publick Treasury according as ye Several Sums are Carry'd off.

James Jeffrey Cler assem

In Coun May 22d 1725

Read and Concurred

Richd Waldron Cler Con

[p. 371.] A Message to the house by The Clerk from His Honr The Lt Govr wth ye Letter which he had recd pr Mr Atkinson from Govr Vandrevil of Canada.

A Message to the board by Messrs Tibbits and Easman with the following vote.

May 22d 1725 In the house of Represent

Voted That all Publick bills of Credit of this Province Pass in all public payments without the advance of five pr Cent

James Jeffrey Cler assem

In Coun Eod die

Read and Concurr'd

Richd Waldron Cler Con

A Message to the house by Capt Macpheadris and the Clerk to adjorn ym & accordingly they were

Adjornd till Tuesday next
the 24th Instant.

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Pro. N. Hampre

At a Genl assem held at Portsmo
by adjornmt May 25th 1725

Present in Coun

His Honr John Wentworth Esq Lt Govr

Saml Penhallow, Mark Hunking, Geo: Jaffrey } Esqre
Shada Walton, Richd Wibird, Archd Macpheadris } Esqrs

Joth Odiorne Esqre

A Message to the board by Messrs Gillman and Sanburn

with Mr Atkinson's acct of Expences as Commissr to Canada as on file & votes thereon as follow

May 22d 1725 In the House of Represent

Voted That Mr Thedre Atkinsons accts be allowed and that the Sum of one hundred & Eighteen pounds fourteen Shillings and Seven pence the ballance thereof be paid out of the Publick Treasury.

James Jeffrey Cler assem

In Coun May 25th 1725

Read and Concurr'd

Richd Waldron Cler Con

His Honr laid before ye board Mr Atkinsons report of his negotiation at Canada wch was read and taken back by his Honr

Adjorned till tomorrow 10 a'clock A: M:

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[P. 372.] Pro N. Hampre

At a Genl assem held at Portsmo by adjornmt May 26th 1725

Present In Coun[l]

His Honr John Wentworth Esqre Lieut Govr

Saml Penhallow, Mark Hunking, Geo: Jaffrey } Esqre

Richd [Wibird], Archd Macpheadris, Jno Frost } Esqrs

Joth Odiorne Esqre

Shada Walton Esqre

A Message to the house by Colo Walton and Capt Odiorne wth a Vote of Council for Settling a Salary on ye Treasurer.

Adjorned till to morrow 10 a'clock A. M.

Pro: N. Hamp^re

At a Gen^l assem held at Portsm^o by adjornm^t May 27^th 1725.

Present In Coun^l

His Hon^r John Wentworth Esq^re L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Arch^d Macpheadris, John Frost, Joth Odiorne } Esq^rs

A Message to the board by Capt Downing with the following vote.

May 26^th 1725 In the house of represen^t

Voted That andrew Wiggin Esq^r M^r Theod^re Atkinson and M^r John Sanburn be a Committe of this house to Joyn w^th a Committe of the upper house to view the Stores now lying in M^r Treas^rs hands according to the accompt that is now made up by the auditors and make returns to morrow ten of y^e Clock to the Gen^l assem^l what there is, and in what Condition they find it that the assembly may order the Sale of what is not fit for the Province Service.

James Jeffry Cler assem

In Coun^l Eodm die

Read and Concurred and Col^o Hunking Cap^t Wibird & Cap^t Odiorne appointed to Joyn the Gentlemen above for the Service above.

Rich^d Waldron Cler Con.

A message to the house by Geo Jaffrey Arch^d Macpheadris & Jn^o Frost Esq^rs with a Vote of Council for building a State house at Portsm^o which was immediately returnd by Cap^t John Gillman & M^r John Sanburn non concurr'd.

[P. 373.] A Message to the board by Mess^rs Gillman & Sanburn w^th y^e following Vote sent down yesterday.

In Coun May 26^th 1725.

Whereas The acc^ts of M^r Treasurer Penhallow from time to time laid before the Gen^l assembly and Especially at y^e last and present Sessions have appeared very Irregular in-

tricate and much perplexed, which has Cost the Gen$^{l}$ assem$^{l}$ and Committe of audit many days (& is a great Expence to the Province) in their attending the adjustment thereof And whereas Sundry disputes have arisen about allowing the five pr Cent advance on the bills of this Province &c.

For the Prevention whereof for y$^{e}$ future Voted That the S'd M$^{r}$ Penhallow dureing his Continuance in the office of Treasu$^{r}$ be allowed and paid out of the Treasury for his Service therein after the rate of one hundred pounds pr annum in full for his Said Service.

Rich$^{d}$ Waldron Cler Con.

May 27$^{th}$ 1725. In The House of Representatives Read and Concurred.

James Jeffry Cler Assem$^{l}$.

A Message to the house by the Clerk w$^{th}$ the Petition of Sam$^{l}$ Weeks and others preferred the 20$^{th}$ Instant, which was return'd by Cap$^{t}$ Gillman w$^{th}$ a Vote thereon, the Petition is on file & y$^{e}$ Votes as follow.

In the house of Represen$^{t}$ May 27$^{th}$ 1725.

The Petition read and Order'd That the Selectmen of Portsmouth be Served w$^{th}$ a Copy of the S'$^{d}$ Petition and they do notifie the Town of Portsm$^{o}$ to appear the Second day of the Sitting of the next Gen$^{l}$ assem$^{l}$ to show Cause if any they Can why the prayer of the Petition may not be granted.

James Jeffry Cler assem

In Coun Eo$^{d}$ die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

Adjorn'd till tomorrow
10 a'Clock A: M:

[P. 374.] Pro: N. Hamp^re

At a Gen^l assem held at Portsm^o by adjornm^t May 28^th 1725.

Present In Council

His Hon^r John Wentworth Esq^re Lieu^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo Jaffrey } Esq^rs

Shad^a Walton, Rich^d Wibird, Arch^d Macpheadris } Esq^rs

Joth Odiorne Esq^re

A Message to the board by Maj^r Gillman & M^r Sanburn with the following votes.

May 27, 1725 In the House of represen^t

Voted That there be Signed off of the two Thousand pounds now ready impress'd the Sum of one thousand Pounds & Put into the Treasury for the payment of the Sundry Debts now allowed and remaining due from the Province, and other Contingencies that may happen, and that His Honour the Lieu^t Governour be desired to Issue out warrants for the Payment of what Shall now be allowed and unpaid.

James Jeffry Cler assem.

In Coun^l May 28^th 1725.

Read and Concurred

Rich^d Waldron Cler Con.

In The House of Represen^t May 28^th 1725

Voted That M^r Treasurer Penhallow do forthwith call in all the Interest yet due to the Province on the Seventeen hundred and thirty pounds loan and other dues, due to the Province, and accompt for it at the next Sitting of the assembly.

James Jeffry Cler assem

In Coun^l Eodem Die.

Read and Concurred

Rich^d Waldron Cler Con

In The house of Represen^t May 28^th 1725

Voted That There be fifty three pounds Sixteen Shillings

Signed of the two thousand pounds last winter & paid to the Treas$^{r}$ to Satisfy him for y$^{e}$ fifty three pounds Sixteen Shillings w$^{ch}$ he allowed to the Constables in the last years rate of £1076. 16. Now to be burnt to ashes.

James Jeffry Cler assem

In Coun$^{l}$ Eodem Die

Read and Concurred

Rich$^{d}$ Waldron Cler Con.

[P. 375.] In The House of Represen$^{t}$ May 28$^{th}$ 1725

Voted That There be a Tax of five hundred pounds laid on the Inhabitants of this Province, and that It be brought into the Treasury by the Middle of february next, in any of the Province bills in New England, and That It shall be applyed for discharging the Support of the Goverment, as the Gen$^{l}$ assembly shall order. And that an Act be drawn up accordingly. And that Col$^{o}$ James Davis and Maj$^{r}$ John Gillman be of the Committee of this house to Joyn with a Committe of the upper house to draw up the act accordingly. James Jeffry Cler assem

In Coun Eod die

Read and Concurred & Geo Jaffrey Esq$^{re}$ & Arch$^{d}$ Macpheadris Esq$^{re}$ appointed for y$^{e}$ Service above.

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ May 28$^{th}$ 1725

Voted That Each man named in Cap$^{t}$ Knights Muster roll on file (being forty in all) be paid out of the Publick Treasury the Sum of four Shillings Each man.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

A Message to the board by Maj$^{r}$ Gillman with the following vote.

In The House of Represen$^{t}$ May 28$^{th}$ 1725.

Whereas It doth appear to this house that M$^{r}$ Theodore

Atkinson hath faithfully discharged the Trust reposed in him in his negotiation lately to Canada The house returns him thanks hereby for the same, and Ordered That There be paid him out of y^e^ public Treasury besides what is already allowed & paid him for his charges the Sum of fifty-two pounds for his time in Said negotiation

James Jeffry Cler assem

In Coun^l^ Eod die

Read and Concurr'd

Rich^d^ Waldron Cler Con

[P. 376.] Geo: Jaffrey Esq^re^ Laid A rec^t^ before y^e^ board Subscribed by M^r^ Treas^r^ Penhallow for fifty three pounds Sixteen Shillings which the Committe for Signing y^e^ £2000 paid to the S'^d^ M^r^ Penhallow Pursuant to a Vote of the Gen^l^ Assem^l^ past this day.

Memorandum

This day M^r^ Treas^r^ Penhallow Delivered into the hands of the Gen^l^ assembly one thousand & Seventy Six pounds Sixteen Shillings which was burnt to ashes in their Presence viz £1076: 16:

| | |
|---|---|
| Mem^o^ Geo: Jaffrey Esq^re^ of and in behalf of the Committe of y^e^ £15,000 Delivered into the hands of the Gen^l^ assem^l^ three hundred pounds twelve Shillings and four pence which burnt to ashes in y^e^ presence | 300: 12: 4 |
| Mem^o^ The Committe for Exh^a^ y^e^ old broken bills Delivered into the hands of y^e^ Gen^l^ Assem^l^ y^e^ Several Sums carry'd off ag^st^ y^e^ Several names (viz) | |
| From Col^o^ Plaisted thirty Seven p'ds thirteen Shill^s^ | 37: 13: – |
| Col^o^ Wear forty pounds fourteen Shill^s^ & Sixpence | 40: 14: 6 |
| Cap^t^ Wibird Sixty Eight p^ds^ thirteen Shills & 3^d^ | 68: 13: 3 |
| Geo Jaffrey Esq^re^ Eighty four p^ds^ Eleven Shill^s^ & 3^d^ | 84: 11: 3 |
| Col^o^ Hunking nine pounds nine Shillings | 9: 9: – |
| in all am^o^ to two hundred & forty one pound & one shilling which was burnt to ashes in their presence | £241: 1: – |

In The House of Represen^t^

May 28^th^ 1725.

Voted That Each of the above Persons be and hereby

are discharged of the above S'd Sums as Carry'd off agst their names

James Jeffry Cler assem

In Coun Eod die

Read and Concurred

Richd Waldron Cler Con

A Message to the board by Colo Davis & Mr Sanburn wth the following vote.

In The house of Represent May 28th 1725

Voted That there shall henceforth be allowed to Each souldier in the Pay and service of the Province in any Standing scout for their use in the Summer insueing, forty bullets & Six flints and for every three months one pound of Powder and if any Souldier be Exchanged, he Shall return his bullets and flints that is not Expended in the Service or pay for them.

[P. 377.] And if any Souldier be Exchanged in a little time to return his powder to the man that comes in his room or to his Commanding officer.

James Jeffry Cler assem

In Coun Eod die

Read and Concurred.

Richd Waldron Cler Con

In The House of Represent May 25th 1725.

For the Further Encouragement of Voluntiers to go out against the Ind'n Enemy.

Voted That all Such Souldiers as Shall Enlist themselves into the Province service under proper officers to be Commissionated by the Governour and Commandr in Chief Shall have for encouragement besides the hundred pounds bounty money for Scalps already allowed the Sum of two Shillings & Sixpence pr day paid them (they finding themselves all necessarys) for every day they are scouting and traveling in the woods, their Muster Roll to be allow'd by the oaths of any of the Commissionated officers in the

same service and also that if any of these voluntiers shall happen to be wounded, in Said Service that the Care Shall be paid for out of the Publick Treasury, and Those that shall happen to be maimed in S'd Service Shall be entituled to the benefits that are allowed by the law of this Province to impressed Souldiers that Shall be maim'd in the S'd Service.

James Jeffry Cler assem

In Coun May 28th 1725

Read and Concurred.

Richd Waldron Cler Con

In The House of Represent May 27th 1725.

Whereas there is in Mr Treasr Penhallows hands Sundry Stores returned out of the Sub-Commissary's hands & the Eastern Expedition to the value of one hundred & thirty six pounds nineteen Shillings & Eleven pence, & out Standing in Several Constables hands the Sum of forty pounds five Shillings and tenpence, and in Greenleafs and Gliddens accts fifty eight Shillings and Sixpence in all one hundred & eighty pounds four Shillings and one penny:

[p. 378.] Now for the Preventing any difference in accompts for ye future The Treasurer proposes that if the Genl Assem will make him allowance of twelve pounds out of the abovesd Sum, The remaining sum of one hundred Sixty eight pounds four shillings and one penny he will take the same to his account & be debted therewth.

Voted That the above proposal be accepted and that the Treasur be Charged wth the Sum only of one hundred Sixty eight pounds four Shillings and one penny in full of the one hundred eighty pounds four shillings and one penny for the Stores &c as in the acct of particulars Dated May 26th 1725.

James Jeffry Cler assem

In Coun May 28th 1725

Read and Concurred

Richd Waldron Cler Con

A Message to the board by Col° Davis & M^r^ Sanburn w^th^ a Tax bill for five hundred pounds Past in the house to be Engrost which being Several times read at the board the Council Concurr'd—

Adjorn'd till tomorrow
9 a'Clock A: M:

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Pro: N. Hamp^re^

At a Gen^l^ assem held at Portsm° by adjornm^t^ May 29^th^ 1725.

Present In Coun^l^

His Honour John Wentworth Esq L^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs^

Shad^a^ Walton, Rich^d^ Wibird, Arch^d^ Macpheadris } Esq^rs^

Joth Odiorne Esq^re^

A Message to the board by Mess^rs^ Downing and Atkinson w^th^ the following votes.

In The house of Represen^t^ May 29^th^ 1725

M^r^ Clement Hughes came into this house and agreed to farm the Excise and to pay for the Same from the 31^st^ of December 1723 to the 31^st^ of December 1725 The Sum of three hundred pounds.

Voted That the Excise of this Province is hereby farmed and lett unto the S^d^ Clement Hughes for the S^d^ Term for y^e^ S^d^ Sum of three hundred pounds to be paid by him into the Treasury in full.

James Jeffry Cler assem

In Coun Eod die

Read and Concurred

Rich^d^ Waldron Cler Con

[P. 379.] May 29th 1725 In The house of Represent
Allowances made as underwritten
(Viz)

| | |
|---|---|
| To Capt Andrew Wiggin for himself & Thoms Veasie and Saml Hilton four days Each not carry'd off in his Muster Roll which was allowed by the assembly last Sessions | —: 12: — |
| To Benja Lamprey omitted in his roll as supra | —: 3: — |
| To Mr Richd Waldron for his Service as Cler to the Coun in ye year 1724 to April 1725 | £73: —: — |
| To Capt Nathl Hill for dieting Timo Blake and seven men 3 weeks & 4 days at 7s pr week | £10: —: — |
| To Mr Benja Gambling for Service as Sherriff in ye year 1724 to April 1725 in full | £13: —: — |
| To Capt Hill for 69lb pork he bought with his own money at 7d pr | £ 2: —: — |
| To Mr John Wentworth as pr acct for use of the boat & Fort William & Mary | £ 5: 14: — |
| | £104: 9: — |

In The house of Represent
May 29th 1725

Voted That The above accompts be allowed and paid out of the Treasury to the Several persons as above mentioned the Several Sums as Carry'd off.

James Jeffrey Cler: assem

In Coun Eod die

Read and Concurred

Richd Waldron Cler Con

In The House of Represent May 29th 1725

Voted That The return of the auditors on Mr Treasr Penhallow accts be accepted and that the acct be accepted and allowed.

James Jeffry Cler assem

In Coun Eod die

Read and Concurred.

Richd Waldron Cler Con

Mem° The ballance due from
the Treas^r To the Province is
twelve p^ds thirteen Shill^s & 1^d
£12: 13: 1

[P. 380.] In The House of Represen^t
May 29^th 1725.

Whereas His Honour The Lieu^t Governour hath the whole Goverment as Commander In Chief Still continued upon him

Voted That he Be presented with and paid him out of the Treasury the Sum of one hundred & twenty pounds for his Extraordinary care and Service done the Goverment in this time of the warr.

James Jeffry Cler assem

In Coun Eod die

Read and Concurred

Rich^d Waldron Cler Con

A Message to the house by the Clerk To require their attendance att the board, the Speaker & house came up accordingly, and then the Tax bill Past to be Engross'd yesterday (Entituled An act to levy a Tax of five hundred pounds on the Poles and Estates within this Province)

Being Prepared was again read, & then Signed & Sealed in Presence of the Gen^l assem. After which His Honour was pleased to prorogue them and accordingly in his Majestys name they were

Prorogued till the
23^d day of Novemb^r next

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Further Prorogued till y^e 13^th Dec^r next

Present { Geo Jaffrey, Joth Odiorne, Sam Penhallow } Esq^rs

Further Prorogued till y^e^ 20^th^ Ins^t^

Present { Geo Jaffrey, Ar: Macpheadris, Joth Odiorne } Esq^rs^

---

Further Prorogued till y^e^ 27 Ins^t^

Present { Sam^l^ Penhallow, Mark Hunking, Geo Jaffrey, Shad^a^ Walton, Joth Odiorne } Esq^rs^

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[P. 381.] Pro N. Hamp^re^

At a General assembly held at Portsm^o^ by Prorogation Dec^r^ 27 1725.

Present In Coun

His Honour John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey } Esq^rs^ Shad^a^ Walton, Joth Odiorne } Esq^rs^

A Message to the house by the Clerk to require their attendance at the Council board. The Speaker & house came up accordingly to whom His Hon^r^ made the following Speech.

*Gentlemen*

You have on all occasions to my great Satisfaction shown your readyness to dispatch the publick affairs of the Goverment so that I have not the least room to suspect it at this Sessions.

The treaty with the Indian Delegates at Boston lasted beyond our Expectation which has put off this Sessions longer than usual however the prospect we have of a lasting peace will over ballance that and I hope prove advantageous to this Province.

The articles of Peace agreed upon I shall lay before you for your perusall which are to be further ratify'd and Confirmed at Falmouth in Casco bay some time in y^e^ month of May next.

M^r^ Newman our agent at y^e^ Court of Great Brittain advises me since our May Sessions that he takes all opportunitys to Solicit S^r^ Robert Walpole for the runing of the lines and for the Stores for Fort William & Mary in all which he Expects Success.

I would put you in mind of making Mr agent Newman a Present for we have scarce allow'd him enough to pay his Coach hire.

The five hundred pounds raised for the Supply of the Treasury will go but a little way in discharging the Muster Rolls & Mr Treasurers Victualling bill wch doubt not but you will take effectual care of & for the more honourable Support of this His Majestys Goverm$^{t}$ J. WENTWORTH

[P. 382.] Mr Speaker desired a Copy of the foregoing Speech & then he and the house withdrew to their Own Chamber.

His Honour the Lieut Govr laid before the Council a Copy of the articles of Pacification agreed on with the Indians at Boston which being read, the Same together with a Copy of His Honrs Speech was sent down to the House by Geo: Jaffrey & Joth Odiorne Esqrs.

Adjorned till to morrow at 10 a'Clock A: M:

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[From Penhallow's Indian Wars.]

*The submission and agreement of the delegates of the Eastern Indians.*

Whereas the several tribes of Eastern Indians, viz. the Penobscot, Norridgwock, St. John's, Cape Sables, and other tribes inhabiting within his Majesty's territories of New England and Nova Scotia, who have been engaged in the present war, from whom we, *Sauguaaram* alias *Sorun Arexus*, *Francois-Xavier*, and *Meganumba*, are delegated and fully empowered to enter into articles of pacification with his Majestys governments of the Massachusetts Bay, New Hampshire and Nova Scotia; have, contrary to the several treaties they have solemnly entered into with the said governments, made an open rupture, and have continued some years in acts of hostility against the subjects of his Majesty King George, within the said governments: they, being now sensible of the miseries and troubles they have involved themselves in, and being desirous to be restored to his Majesty's grace and favor, and to live in peace with all his Majesty's subjects of the said three governments and the province of New York and colonies of Connecticut and Rhode Island, and that all former acts of injury be forgotten: have concluded to make, and we do, by these presents in the name and behalf of the said tribes, make our submission unto his most excellent Majesty George, by the grace of God of Great Britain, France and Ireland, King, defender of the faith, &c., in as full and ample manner as any of our predecessors have heretofore done.

And we do hereby promise and engage with the Hon. William Dummer, Esq. as he is Lieut. Governor and commander-in-chief of his majesty's province of the Massachusetts Bay, and with the Governors or commanders in chief of the said province for the time being: that is to say—

We, the said delegates, for and in behalf of the several tribes aforesaid, do promise and engage—That at all times, forever, from and after the date of these presents, we and they will cease and forbear all acts of hostility, injuries and discord towards all the subjects of the crown of Great Britain, and not offer the least hurt, violence or molestation to them or any of them in their persons or estates, but will henceforward hold and maintain a firm and constant amity and friendship with all the English, and will never confederate or combine with any other nation to their prejudice.

That all the captives taken in this present war, shall, at or before the time of the further ratification of this treaty, be restored, without any ransom or payment to be made for them or any of them.

That his Majesty's subjects the English, shall and may peaceably and quietly, enter upon, improve and forever enjoy all and singular their rights of land and former settlements, properties and possessions, within the eastern parts of the said province of the Massachusetts Bay, together with all Islands, inlets, shores, beaches and fishery within the same, without any molestation or claims by us or any other Indians, and be in no ways molested, interrupted or disturbed therein.

Saving unto the Penobscot, Norridgwock, and other tribes within his Majesty's province aforesaid, and their natural descendants respectively, all their lands, liberties and properties not by them conveyed or sold to or possessed by any of the English subjects as aforesaid; as also the privilege of fishing, hunting and fowling, as formerly.

That all trade and commerce which may hereafter be allowed betwixt the English and the Indians, shall be under such management and regulation, as the government of the Massachusetts province shall direct.

If any controversy or difference at any time hereafter happen to arise between any of the English and Indians, for any real or supposed wrong or injury done on either side, no private revenge shall be taken for the same, but proper application shall be made to his Majesty's government upon the place for remedy or redress thereof, in a due course of justice. We submitting ourselves to be ruled and governed by his Majesty's laws, and desiring to have the benefit of the same.

We also, the said delegates, in behalf of the tribes of Indians inhabiting within the French territories, (who have assisted in this war) for whom we are fully empowered to Act in this present treaty, do hereby promise and engage, that they and every of them shall henceforth cease and forbear all acts of hostility, force and violence, towards all and every, the subjects of his Majesty, the King of Great Britain.

We do further in the behalf of the Penobscot Indians promise and engage, that if any of the other tribes intended to be included in this treaty, shall notwithstanding, refuse to confirm and ratify this present treaty entered into on their behalf, and continue or renew acts of hostility against the English, in such case, the said Penobscot tribe shall join their young men with the English in reducing them to reason.

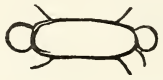
In the next place, we the afore-named delegates do promise and

ingage with the Honorable John Wentworth, Esq. as he is Lieut. Governor and commander-in-chief of his Majesty's province of New Hampshire, and with the governors and commanders-in-chief of the said province for the time being, that we and the tribes we are deputed from, will henceforth cease and forbear all acts of hostility, injuries and discords, towards all the subjects of his Majesty King George, within the said Province; and we do understand and take it, that the said government of New Hampshire, is also included and comprehended in all and every of the articles aforegoing, excepting that article respecting the regulating the trade with us.

And further, we the aforenamed delegates do promise and engage with the Hon. Lawrence Armstrong, Esq. Lieut. Governor and commander-in-chief of his Majesty's province of Nova Scotia or Accadia, to live in peace with his Majesty's good subjects and their dependents in that government, according to the articles agreed on with Major Paul Mascarene, commissioned for that purpose; and further to be ratified as mentioned in the said articles.

That this present treaty shall be accepted, ratified and confirmed, in a public and solemn manner, by the chiefs of the several eastern tribes of Indians included therein at Falmouth in Casco Bay, sometime in the month of May next. In testimony whereof, we have signed these presents, and affixed our seals.

Dated at the Council Chamber in Boston in New England, this fifteenth day of December, Anno Domini, one thousand seven hundred and twenty-five. Anno Regni Regis Georgii Magnæ Brittaniæ, &c. Duodecimo.

SAUGUAARAM  alias SORON

AREXUS

FRANCOIS XAVIER

MEGANUMBA

A true copy taken from the original, executed by the Indian delegates before the General Assembly, December, 15, 1725.

Attest, J. Willard, Secr.

Pro: N. Hamp^re^

at a General assem held at Portsm^o^ by adjournm^t^ X^br^ 28^th^ 1725.

Present In Coun^l^

His Hon^r^ John Wentworth Esq^re^ Lt Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo Jaffrey } Esq^rs^

Shad^a^ Walton, Jn^o^ Frost, Joth Odiorne } Esq^rs^

A Message to the board by Cap^t^ Jn^o^ Gillman with the following vote.

In The house of Represen^t^ Dec^r^ 28^th^ 1725

Voted That there be a Committe of both houses appointed to Examine the Muster Rolls and accompts of the Province now brought in and That M^r^ Theodore Atkinson and Cap^t^ W^m^ Fellows be a Committe of this house to joyn with those of the upper house that shall be appointed for the Said Service.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd & Geo Jaffrey & Jn^o^ Frost Esq^rs^ appointed for the Service above.

Rich^d^ Waldron Cler Con

Joseph Lock and others Prefer'd a Petition to the board directed to the Gen^l^ assem Praying for a Precinct at Sandy beach w^ch^ was read and Sent down by Sam^l^ Penhallow & Geo Jaffrey Esq^rs^

Adjourn'd till tomorrow 10 a'Clock A: M:

[p. 383.] Pro N. Hamp^re

At a Gen^l assem held at Portsmouth pr adjourm^t Dec^r 29, 1725.

Present In Coun

His Hon^r John Wentworth Esq^re L^t Gov^r

| | | | |
|---|---|---|---|
| Samuel Penhallow<br>Mark Hunking<br>Geo Jaffrey | Esq^rs | Shad^a Walton<br>Jn^o Frost<br>Joth Odiorne | Esq^rs |

A Message to the board by Mess^rs Downing and Sanburn with the following vote.

In The House of Represen^t Dec^r 29^th 1725

Whereas the act of Excise of this Province being near expiring,

Voted That It be now revived for three years and that all retailers Pay Sixpence pr gall^n & Taverners eight pence pr gall^n Excise & that none be free from paying Excise for any quantity under twenty five gallonds and that an act be drawn up accordingly, and that and^w Wiggin Esq & M^r Eph^a Dennet be a Committe of this house to Joyn w^th a Committe of the upper house to draw up S'^d act.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Sam^l Penhallow and Mark Hunking Esq^rs appointed for y^e Service above.

Rich^d Waldron Cler Con

A Message to the board by M^r W^m Dennet w^th an acc^t of Doct^r Joseph Pierce for Curing one of Cap^t Lovell's men amounting to £14 which was voted by y^e house to be dismis'd & the Same was immediately Sent back to the house by Sam^l Penhallow & Joth Odiorne Esq^rs to be reconsider'd.

The Clerk of y^e Council laid before the board the report of the Reverend Ministers upon M^r Adams book entituled a Theosophical Thesis &c w^ch was read & a Vote of acceptance pass'd thereon & then the S'^d Report & Vote were Sent down to the house by the Clerk.

[P. 384.] A Message to the board by Mr Dennet with ye following Vote.

In the house of Represent Decr 29, 1725

Voted That Majr John Gillman and Mr Epha Dennet be a Committe of this house to joyn wth a Committe of the upper house to tell over the money that is now to be brought in to be burnt.

James Jeffry Cler assem

In coun Eod die

Read and Concurred and Shada Walton & Joth Odiorne Esqrs appointed for the Service above.

Richd Waldron Cler Con

Adjorn'd till tomorrow 10 a'Clock A: M:

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Pro N. Hampre

At a Genl assem held at Portsmo by adjournmt Decr 30th 1725

Present In Coun

His Honr John Wentworth Esqre Lt Govr

| | | | |
|---|---|---|---|
| Saml Penhallow | | Shada Walton | |
| Mark Hunking | Esqrs | Jno Frost | Esqrs |
| Geo: Jaffrey | | Joth Odiorne | |

Adjorn'd till tomorrow 10 a'Clock A: M:

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Pro N. Hampre

At a Genl assem held at Portsmo by adjournmt Decr 31st 1725

Present In Coun

His Honr John Wentworth Esqre Lt Govr

| | | | |
|---|---|---|---|
| Saml Penhallow | | Shada Walton | |
| Mark Hunking | Esqrs | Jno Frost | Esqrs |
| Geo Jaffrey | | Joth Odiorne | |

A Message to the board by Mr Dennet with the following votes

In the house of Representatives Dec$^{r}$ 31$^{st}$ 1725.

Voted That there be impress'd forthw$^{th}$ two thousand pounds bills of Credit on this Province & Sign'd by a Committe to be appointed by both houses, and by them paid into the Treasury from time to time by order of the General assembly for defraying the last years charges of the Goverm$^{t}$ occasioned by the war & to repay the same. That [P. 385.] it be raised by a Tax on the Inhabitants of this Province one half in the year 1735 and the other half in y$^{e}$ year 1736 & when brought into the Treasury to be burnt to ashes in presence of the General assembly, The S'$^{d}$ Bills to be repaid in Such Species as Shall be agreed upon by y$^{e}$ General assem$^{l}$ from time to time and that an act be drawn up accordingly and That Jn$^{o}$ Plaisted Esq$^{re}$ & M$^{r}$ Theo: Atkinson be a Committe of this house to Joyn w$^{th}$ a Committe of the upper house to Sign off the S'$^{d}$ bills and that the S'd Jn$^{o}$ Plaisted Esq and Theo Atkinson be a Comitte of this house to Joyn w$^{th}$ a Comitte of y$^{e}$ upper house to draw up a bill accordingly.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Mark Hunking and Geo Jaffrey Esq$^{rs}$ appointed for y$^{e}$ Service above

Rich$^{d}$ Waldron Cler Con.

In the house of Represen$^{t}$ Dec$^{r}$ 31$^{st}$ 1725.

Voted That James Jeffry be paid out of the Publick Treasury The Sum of ten pounds for his service as Clerk of the assembly from y$^{e}$ 19$^{th}$ day of November 1724 to y$^{e}$ 19$^{th}$ day of Novemb$^{r}$ 1725 and that he be paid the Sum of five pounds for his service in Committes for auditing the public acc$^{ts}$ & other Services done at Sundry times for y$^{e}$ Publick. James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd Rich$^{d}$ Waldron Cler Con

Adjourn'd till tomorrow 10 a'Clock A. M.

Pro N. Hamp^re

At a Gen^l assem held at Portsm^o
by adjournm^t Jan 1^st 1725

Present In Coun

His Hon^r John Wentworth Esq^re L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs
Shad^a Walton, Jn^o Frost, Joth Odiorne } Esq^rs

[P. 386.] A Message to the board by M^r Sanburn w^th the following vote.

In the House of Represen^t Jan 1^st 1725.

The Persons that were chosen a Comitte to tell over the old broken defaced bills of Credit that were brought in from the Trustees for Exchanging the 5384£ Made their return that there was bro't in and burnt in presence of y^e Gen^l assem of that money the sum of one hundred ninety Seven pounds fifteen Shillings (viz) from

| | |
|---|---|
| Rich^d Wibird Esq^r | £80: 12: 3 |
| Geo: Jaffrey Esq^r | £57: 14: 9 |
| Maj^r Gillman | £ 6: 3: – |
| Col^o Plaisted | £53: 5: – |
| | £197: 15: – |

Voted That Each Person be and hereby is discharged of the Sum carry'd off ag^st his name

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

Rich^d Waldron Cler Con

A Message to the board by Cap^t Downing w^th M^r Adams manuscript Entituled a Theosophical Thesis & The Ministers report thereon w^th a Vote upon the S'^d report, the S'^d Manuscript & report are on file & the vote is as follows

In Coun Dec 29^th 1725

Voted That the Report of the Reverend Ministers upon the Manuscript above mention'd be accepted & that the

Reverend Gentlemen have the thanks of the Goverment for the Same, and Ordered that the S'd Manuscript be lodged in ye Secretarys office & that the Clerk of ye Council be and hereby is directed not to give a Copy of the S'd Manuscript or any part thereof directly or Indirectly to any person on any pretence whatsoever without ye leave or Consent of the Gen[l] assem[l] for the Same.

Rich[d] Waldron Cler Con

In the house of Represen[t] Jan 1st 1725

Read and Concurred.

James Jeffry Cler assem.

Adjourn'd till wednesday next 10, aClock A: M:

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[P. 387.] Pro N. Hamp[re]

At a General assem held at Portsm[o] by adjorn[t] Jan 5 1725.

Present In Coun

His Hon[r] John Wentworth Esq L[t] Gov[r]

Sam[l] Penhallow, Mark Hunking, Geo: Jaffrey } Esq[rs]

Shad[a] Walton, Joth Odiorne } Esq[rs]

A Message to the board by Cap[t] Gillman w[th] the following vote.

In the house of Represen[t] Jan 5th 1725.

There was brought in and burnt in the General assem the sum of fifty three pounds eight Shillings & ninepence of the five thousand three hundred & Eighty four pounds from Maj[r] Jn° Gillman one of the Trustees for Exchanging that money and the S'd John Gillman is hereby discharged of the S'd Sum of fifty three pounds eight Shill[s] & ninepence

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

Rich[d] Waldron Cler Con

The Petition of Thomas Packer and others Praying for a Township at Winnipishoky pond read at the board and order'd to lye for Consideration till next Spring.

A Message to the board by Cap$^{t}$ Gillman w$^{th}$ y$^{e}$ represent$^{s}$ answ$^{r}$ (To y$^{e}$ L$^{t}$ Gov$^{rs}$ Speech) as follows.

*May it Please your Honr*

As yo$^{r}$ Hon$^{r}$ has been pleased to Express your Satisfaction of Our former Conduct we hope for the future Our actions and demeanour Shall be Such as will be acceptable to the Province, pleasing to your Honour & recommend us to His Majestys favour.

We heartyly Congratulate Yo$^{r}$ Hon$^{rs}$ Safe return from the Treaty of Peace, and tho yo$^{r}$ absence might seem long upon some accounts yet the Good effect there of the prospect of a lasting Peace has fill'd Our hearts with joy and satisfaction having view'd y$^{e}$ articles of Peace your Hon$^{r}$ laid before us w$^{th}$ Pleasure.

We Shall do our Utmost endeavor to find out wayes and means for y$^{e}$ Supply of y$^{e}$ Treasury & for y$^{e}$ Hon$^{ble}$ Support of y$^{e}$ Goverm$^{t}$

Jan 6, 1725

John Plaisted Speak$^{r}$ Pro Temp

Adjorn'd till tomorrow
10 a'Clock A: M.

---

[P. 388.] Pro N. Hamp$^{re}$.

At a Gen$^{l}$ assem at Portsm$^{o}$ Jan 6$^{th}$ 1725 by adjourm$^{t}$

Present In Coun

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Jn$^{o}$ Frost, Joth Odiorne } Esq$^{rs}$

Geo Jaffrey Esq$^{re}$ laid the following receipts before the board w$^{ch}$ were ordered to be entered (viz)

Pursuant to a Vote of the General Assembly of y$^{e}$ 28$^{th}$ of May 1725 for Signing and puting into the Treasury one thous$^{d}$ pounds Province bills—Received of George Jaffrey Esq$^{re}$ from the Committe for Signing Said bills the Sum of one thousand pounds—1725.

£1000 Sam$^{l}$ Penhallow

Received of the Committe for Signing bills of Credit fifty three pounds Sixteen Shillings pr order of the General assem$^{l}$ May 28$^{th}$ 1725

£53 : 16 pr Sam$^{l}$ Penhallow

Adjourn'd till tomorrow
10 a Clock A: M.

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem at Portsm$^{o}$ pr adjournm$^{t}$ Jan$^{ry}$ 7$^{th}$ 1725–6

Present In Coun

His Hon$^{r}$ John Wentworth Esq$^{r}$ L$^{t}$ Gov$^{r}$

| | | | |
|---|---|---|---|
| Sam$^{l}$ Penhallow | Esq$^{rs}$ | Shad$^{a}$ Walton | Esq$^{rs}$ |
| Mark Hunking | | Jn$^{o}$ Frost | |
| Geo: Jaffrey | | Joth Odiorne | |

A Message to the board by Cap$^{t}$ Wentworth and M$^{r}$ Sanburn w$^{th}$ y$^{e}$ Petition of Doct$^{r}$ Alden as on file and the Several Votes following

In The house of Represen$^{t}$ Jan$^{ry}$ 6$^{th}$ 1725–6

Voted That Thomas Alden be allowed & paid out of the Publick Treasury in full of his acc$^{t}$ the Sum of Seven pounds three Shillings & Sixpence.

James Jeffry Cler assem

In Coun Jan$^{ry}$ 7$^{th}$ 1725–6

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

[P. 389.] In The house of Represen$^{t}$ Jan 7, 1725

Voted That Thomas Harvey be allowed and paid out of the Publick Treasury ye Sum of Six pounds in full of his acc$^{t}$

James Jeffry Cler assem

In Coun Eodem die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

In the house of Represen$^{t}$ Jan 7, 1725

Voted That Matthew Clark of Lond$^{o}$ Derry be paid out

of the thousand Seventy Six pounds Sixteen Shillings tax next to be burnt the Sum of four pounds four Shillings and Sixpence for so much of this Province money burnt in his house. James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

Rich[d] Waldron Cler Con

We whose names are Subscribed being appointed a Committe by the Gen[l] assem to audit y[e] accompts of the Province of N. Hamp[re] that lay before them at their sessions in Dec[r] and Jan[ry] 1725–6

Do report as follows

| | | |
|---|---|---|
| N° 1, | A Muster Roll for Service done under the command of Cap[t] Jn° Gillman being sworn to and right Cast allow'd to be p'd out of the Treasury. | £555: 11: 2: 1 |
| 2 | Ditto for Ditto under the Command of L[t] Tristum Herd allow'd | £75: 13: 5: 1 |
| 3 | Ditto for Ditto under y[e] Command of Cap[t] Chesley allowed | £48: 14: 8: – |
| 4 | Ditto for Ditto under y[e] Comand of Serg[t] Abraham Clark allowed | £34: 1: 4: – |
| 5 | Ditto for Ditto Sign'd pr Sarg[t] Sam[l] Hilton allowed | £14: 10: 7: – |
| [P. 390.] 6. | Ditto for Ditto und[r] y[e] Command of Cap[t] Geo Walker refer'd to the Gen[l] assem they being troopers and no establishm[t] by y[e] law | |
| 7 | An acc[t] Signed by Jn° Gillman for ammunition expended in the Service am° to £19: 1: 6 allowed | £18: 3: –: – |
| 8 | An acc[r] Sign'd James Stevens for pasturing horses allow'd | 1: 1: 6: – |
| 9 | An acc[t] Sign'd Benj[a] Thing for hay & Oates am° to 22 9s allowed | £1: 1: 6: – |
| 10 | An acc[t] Sign'd Nath[l] Lad for Transporting provisions am° to 37s allowed | £1: —: –: – |
| 11 | an acc[t] Signed by M[r] Treas[r] Penhallow for Sundry expresses and wolves heads & mony p'd Col° Walton to prepare for his voyage eastward allowed | £20: 19: 6: – |
| 12 | an acc[t] Sign'd by M[r] Treasurer Penhallow for provision & ammunition for y[e] Several Scouts am° to £274: 17: 7 allowed | £273: 11: 7: – |
| 13 | an acc[t] Sign'd Paul Gerrish for Sundry Provisions & Service in delivering the same allowed in full discharge thereof | £5: 14: –: – |

14 an acc$^{t}$ for Sundry Expences in Going to Bost$^{o}$ with his Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ on a Treaty of Peace w$^{th}$ the Indians refer'd to y$^{e}$ General Assembly Cap$^{t}$ Frost & Theo: Atkinson being on this Comitte and likewise at Boston at y$^{e}$ Treaty.

15 an acc$^{t}$ for Victualling the Scouts in the Service Sign'd by Maj$^{r}$ John Gillman amounting to £283: 17: 11 & he having rec'd 200£ and Deducting 2d pr diem on 1527 days for one man allow'd to be p'd in full of Said Account £71: 3: 5: – Since which The Said Gillman hath declared that he lost 15 Score weight of Pork by reason of y$^{e}$ hot weather w$^{ch}$ he kill'd for y$^{e}$ Service of y$^{e}$ Province and w$^{ch}$ we recommend & refer to yo$^{r}$ consideration.

16 an acc$^{t}$ Signed by Cap$^{t}$ Jn$^{o}$ Gillman for Sundry provisions &c for his Scout am$^{o}$ to £16: 10: 2, deducting £6. paid by y$^{e}$ Treasu$^{r}$ allow'd in full £10: 18: –: – There being left in his hands 1: —: 19 w$^{t}$ of bread on acc$^{t}$ of y$^{e}$ Province

W$^{m}$ Fellows Geo Jaffrey
Theo: Atkinson Jn$^{o}$ Frost

[P. 391.] In The house of Represen$^{t}$ Jan 6$^{th}$ 1725–6

Voted That the above return of y$^{e}$ Committe be allowed and paid out of the Publick Treasury according to the Several Sums carry'd off and that there be allowed & paid out of the Publick Treasury for His Hon$^{rs}$ and the Gentlemens expences at Boston besides the thirty pounds already paid the Sum of Seventy Seven pounds and Eight pence in full of y$^{e}$ acc$^{t}$ brought in. and that Maj$^{r}$ Jn$^{o}$ Gillman be allowed the Sum of five pounds Six and eight pence for the loss of sixteen Score weight of Pork as in y$^{e}$ 15$^{th}$ Acc$^{t}$ And that Cap$^{t}$ Jn$^{o}$ Gillman be allowed and paid the Sum of ten pounds eighteen Shillings in full of his acc$^{t}$ N$^{o}$ 16 without accounting for y$^{e}$ 1$^{cw}$: —: 19$^{lb}$ of bread left in his hands.

James Jeffry Cler assem.

In Coun Jan. 7, 1725–6

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

In The House of Represent Jan 7$^{th}$ 1725–6.

Voted That Col$^{o}$ Walton be allowed & paid out of the

Publick Treasury nine pounds ten Shillings in full of the within acc$^{t}$ for his Journey & Charges to y$^{e}$ Eastw$^{d}$ and that Nath$^{l}$ Lang be allowed Centinels wages for 31 days with Col$^{o}$ Walton.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ Jan 7, 1725–6

Voted That Mrs Susanna Small be allowed & paid out of the Publick Treasury y$^{e}$ Sum of Eighteen pounds (besides ye 12£ already allowed her) for house rent fire & Candles from y$^{e}$ first of October 1723, to y$^{e}$ first of October 1725 for y$^{e}$ Gov$^{r}$ Coun assem and Courts.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

[p. 392.] In The House of Represen$^{t}$ Jan 7, 1725.

Voted That The Sum of five hundred pounds be impress'd (w$^{th}$ the Two thousand pounds voted this Sessions to be emitted) for y$^{e}$ Exchanging any broken bills of Credit of this Province (of any impression Since y$^{e}$ year 1715) and that three hundred pounds of it be immediately printed, Sign'd off & put into the treasury for that end.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

In The house of Represen$^{t}$ Jan 7, 1725

Voted That there be sign'd off of y$^{e}$ two thousand pounds now to be impress'd the Sum of nine hundred pounds and put into the Treasury for y$^{e}$ paym$^{t}$ of the Sundry Debts now allow'd and due from the Province and other Contingencys and that His Honour the L$^{t}$ Gov$^{r}$ be desired

to Issue out warr$^{ts}$ for y$^{e}$ paym$^{t}$ of what shall be now allow'd & unpaid.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ Jan 7, 1725

Voted That Cap$^{t}$ Sanburn be allowed and paid out of the Treasury thirty three Shillings in full for Grass hay &c for Cap$^{t}$ Walker's Troop.

James Jeffry Cler assem

In Coun Eod die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con.

In The House of Represen$^{t}$ Jan 7, 1725

There was brought to the Gen$^{l}$ Assembly and burnt the sum of nineteen pounds, fourteen Shillings [p. 393.] and Six pence (of y$^{e}$ £5384) by Col$^{o}$ Hunking one of the Trustees for Exch$^{a}$ that mony, and the S'$^{d}$ Col$^{o}$ Hunking is hereby discharged of the S'$^{d}$ Sum

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

Adjourn'd till tomorrow 10 a'Clock A: M:

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem. held at Portsm$^{o}$ by adjornm$^{t}$ Jan$^{ry}$ 8$^{th}$ 1725–6.

Present In Coun

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo. Jaffrey } Esq$^{rs}$

Shad$^{a}$ Walton, Joth Odiorne } Esq$^{rs}$

A Message to the board by Mess$^{rs}$ Dennet and Atkinson w$^{th}$ the following votes.

In The House of Represen$^{t}$ Jan 8$^{th}$ 1725–6

Voted That Benja Acreman be allowed & paid out of the publick Treasury the Sum of three pounds more than formerly allowed him for this Present year not to be paid till y$^{e}$ year is up, and that for y$^{e}$ future he be allowed and paid out of y$^{e}$ Publick Treasury (after y$^{e}$ Present year) the Sum of ten pounds pr annum for his attenda on the Gov$^{r}$ Coun$^{l}$ and assembly.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ Jan 8, 1725–6

Voted That M$^{r}$ Eleazer Russel Print all Acts that are made already and not printed & that are not Expired, that are made Since y$^{e}$ year 1721, & That he be allowed and paid out of the Publick Treasury y$^{e}$ Sum of 35s pr Sheet and so in proportion for a longer or Shorter print, and that he Supply each Town in the Province w$^{th}$ one and every member of y$^{e}$ Council and assem. w$^{th}$ one gratis.

[P. 394.] And that the Clerk of the Council be directed to give him Copy's of the S'$^{d}$ Acts (and made this Sessions) for that end.

James Jeffry Cler assem.

In Coun, Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ Jan 8, 1725

Voted That there be paid out of the Publick Treasury for the head of every grown wolf thirty shillings besides what is already allow'd w$^{ch}$ will make the Sum of four pounds for every wolfs head kill'd as above.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ Jan 8, 1725

Voted That the Excise of this Province be farm'd to the highest bidder (that is a Suitable qualifyed person) for three years from the date hereof, and that the Person or Persons that farms it give Security for the Payment yearly. And That a Comitte of both houses be appointed to meet at y$^{e}$ Court house in Portsm$^{o}$ on y$^{e}$ 19$^{th}$ of this Instant Jan$^{ry}$ at ten of the Clock in the forenoon, to let out the same; and that Publick notifications be set up in every Town in the Province to notify it accordingly, and that M$^{r}$ Eph$^{a}$ Dennet & Cap$^{t}$ Benj$^{a}$ Wentworth be a Committe of this house for that end. James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd and Geo: Jaffrey & Shad$^{a}$ Walton Esq$^{rs}$ appointed for the Service above.

Rich$^{d}$ Waldron Cler Con.

[p. 395.] Memorand. Several Votes being Pass'd for hearing and suspending y$^{e}$ hearing of Sandy beach & Greenland Petitions as on file. It was at last resolved That The hearing on the S$^{d}$ Petition Should be Suspended till y$^{e}$ Second day of y$^{e}$ next Spring Sessions, and that all Partys Concern'd Should be notifyed thereof & Served w$^{th}$ a Copy of the S$^{d}$ Petitions respectively.

A Message to the board by Mess$^{rs}$ Tibbits, Gillman, and Atkinson w$^{th}$ the following vote.

In The house of Represen$^{t}$ Jan$^{ry}$ 8$^{th}$ 1725–6.

Whereas His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ hath had y$^{e}$ whole Goverm$^{t}$ as Commander in Chief Still Continued upon him

Voted That His Hon$^{r}$ be presented with and paid out of the Publick Treasury the sum of one hund$^{d}$ and twenty pounds for his Extraordinary care & Service done in the Goverm$^{t}$ in this time of the warr.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

A Message to the house pr the Clerk to require their attend[a] at the board, The Speak[r] & house came up accordingly and the following Bills being read Sign'd & Seald in Presence of y[e] Gen[l] assem viz.

An act granting to His Majesty an Excise on Several liquors &

An Act for Striking and Emitting a further Sum of two thousand pounds Publick Bills of Credit & 500£.

His Hon[r] was pleased to prorogue the Gen[l] assem and accordingly y[y] were,

Prorogued
To Monday y[e] 11[th] April 1726

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[P. 396.] Pro N. Hamp[re]

At a Gen[l] assem held at Portsm[o] by Prorogation April 11[th] 1726.

Present In Coun

His Hon[r] Jn[o] Wentworth Esq[r] L[t] Gov[r]

Mark Hunking, Geo: Jaffrey, Shad[a] Walton } Esq[rs]

Rich[d] Wibird, Tho[s] Westbrook, Joth Odiorne } Esq[rs]

A Message to the house by the Clerk to require their attendance at the board the Speak[r] and house Came up accordingly to whom His Hon[r] was pleased to make the following Speech

*Gentle.*

Being sensible that at this Time of y[e] year yo[r] concerns at home do in a more particular manner require you there, and for that reason I have determin'd to make this session as Short as our publick affairs will admit of.

One design I had in calling you together was that we might appoint Suitable Persons from both houses to Joyn the Mass[a] in ratifying and confirming the Peace at Casco bay in May next the Time that was fix'd on at our treaty with the Indians at Boston.

L[t] Gov[r] Dummer Signifys to me That he rec[d] a letter from Loron a Principal Sagamore at Penobscot which is supposed to be wrote by the Jesuit dated y[e] 27 of March by which he finds the french are endeavouring to overthrow the Treaty we had at Boston. but this is no more than I Expected from the french, and I am persuaded that all their Measures will prove ineffectual.

I would Urge it as a Matter of the last importance to this Province that we give directions to Our Agent to make the Closest application at y^e^ Court of Great Brittain to obtain a Settlem^t^ of the lines between the Two Provinces & It will be very much for Our honour and Interest to make a larger allowance for Our agent if we expect Success, for in Soliciting on all occasions it must be expensive, and what has been hitherto allowed you can't reasonably think Sufficient to Carry on our busyness.

[P. 397.] The Mass^a^ are dayly incroaching on us a late Instance we have in Voting a Township should be Erected and Settled at Pennycook which will certainly be in the very bowels of this Province & will take in the most valuable of Our lands.

I would therefore recommend this Matter to yo^r^ mature Consideration and am persuaded that you will Consult Such measures that may be not onely Serviceable but for the Honour of His Majestys Province w^ch^ I assure y^o^ I shall cheerfully imbrace.

I have lately represented this affair to the Lords Commissioners for Trade and Plantations & have transmitted the best & Exactest draught of this Province Merrimack river and the Scituation of Pennecook to their Lordships praying their favour in obtaining a Settlem^t^ of the lines giving Instances wherein it highly Concerns y^e^ Interest of y^e^ Crown.

It is with a Great Deal of Pleasure that I now tell you of His Majesty's Safe return to His Kingdome the Success of his Negotiations abroad y^e^ firm & Strong alliances he has made for y^e^ Security of y^e^ Nation demands our thankful acknowledgm^ts^, and on this Occasion It is Our Duty to address His Majesty, I would recommend it to you that a Committee of both houses be Chosen and appointed for that end. That an address be drawn up and humbly presented to the King by Our agent.

You will take Care that what bills of Credit are to be burnt to ashes at this Sessions by act of Gen^l^ assem. must be Comply'd with and that Proper care be taken for y^e^ Calling in one thousand and Seventy Six pounds 16s bills of Credit for this Present year 1726, and if you can think of any thing that may be for the Interest of y^e^ Crown and the Service of the Province I once more assure you that I am ready to do everything in my power.

J. Wentworth.

The Speak^r^ desired a Copy of y^e^ foregoing Speech & then he and the House withdrew to their own room.

[P. 398.] Nath^l^ Wear Esq appear'd at the board and Presented a Petition praying to have the Falls-Parish at Hampton made independant of the old Parish, w^ch^ being read was pass'd upon by the Council and sent down for Concurrence by y^e^ Clerk.

A Message to the board by Mess^rs^ Downing & Dennet w^th^ the Petitions of Nath^l^ Wear Esq^re^ as on file & a Vote thereon as follows.

In Coun Aprill 11, 1726.

Voted Upon reading the Petition of Nath[l] Wear Esq[r] That the Selectmen of the first Parish of Hampton be Served forw[th] w[th] a Copy of S[d] Petition by the Petitioners & be notifyed that the hearing upon S'[d] Petition is appointed to be on thursday next at 10 a'Clock A: M: that they may Convene the S'[d] Parish to Chuse an agent or agents to appear before the Gen[l] assembly at the S'[d] Time to Shew Cause if any they have why the prayer of the S'[d] Petition Should not be granted.

Rich[d] Waldron Cler Con

In The House of Represent Eod die

The S'[d] Petition was read and the vote thereon concurr'd with with this amendm[t] That Whereas in the S'[d] Vote for the first Parish to be notifyed to appear next thursday Voted That the Selectmen of the first Parish in Hampton be Served with a Copy of the Petition & to appear and Shew Cause (if any they have) why the Prayer of y[e] Petition may not be granted the next Sitting of the General Assem. the Second day of their Sitting.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd w[th] the amendmen[t]

Rich[d] Waldron Cler Con

A Message to the board by Cap[t] Downing & Cap[t] Gillman w[th] the following votes

In The House of Represen[t] April 11, 1726

Voted That M[r] Theo: atkinson & M[r] Eph[a] Dennet be a Committe of this house to joyn w[th] a Committe of y[e] upper house to tell over the Mony that is to be burnt at this Sessions of y[e] Gen[l] Assem.

James Jeffry Cler assem

[P. 399.] In Coun Eod die

Read and Concurr'd and Rich[d] Wibird & Jotham Odiorne Esq[rs] appointed to Joyn in the Service above.

Rich[d] Waldron Cler Con

In The House of Represent April 11th 1726

Voted That Mr Theo: Atkinson & Capt Wm Fellows be a Committe of this house to joyn with a Committe of the upper house to draw up a Congratulatory address to His Most Gracious Majesty on his happy return to His Kingdome of Great Brittain.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Geo: Jaffrey & Thos Westbrook Esqrs appointed for the Service above.

Richd Waldron Cler. Con.

Adjourn'd till tomorrow 10 a'Clock A: M:

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Pro N. Hampre

At a Genl assem held at Portsmo by adjourmt April 12, 1726.

Present In Coun.

His Honr John Wentworth Esqre Lt Govr

| | | | |
|---|---|---|---|
| Saml Penhallow | Esqrs | Richd Wibird | Esqrs |
| Mark Hunking | | Thos Westbrook | |
| Geo Jaffrey | | Jno Frost | |
| Shada Walton | | Joth Odiorne | |

The Selectmen of London Derry Prefer'd a Petition to the board directed to ye Genl assembly Praying to be Excused from Sending a represent to ye Genl assem and Exempt from the Province Tax for the Present wch being read and a Vote pass'd thereon for granting the Prayer thereof the Same was Sent down by Shada Walton & Jno Frost Esqrs.

Joseph Lock and others were admited to the board to prosecute their Petition for a Parish at Sandy-beach, & the agents for Portsmo Greenland Hampto & N. Castle appeared also & where fully heard upon the Sd Petition.

Adjourn'd till tomorrow 10 a'Clock A: M:

[P. 400.] Pro N. Hamp^re

At a General Assem^l held at Portsm^o
by adjournm^t April 13^th 1726.
Present In Coun
His Hon John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs
Rich^d Wibird, Tho^s Westbrook, Jn^o Frost } Esq^rs
Joth Odiorne Esq^re

A Message to the board by Cap^t Downing w^th the Petition of the Selectmen of Lond^o Derry w^th the vote of Council Thereon not pass'd upon by the house, and a Vote of the house for assessing Lond^o Derry 60£ in y^e present years Tax w^ch was non concurr'd by y^e board (nemine contradicente) & sent back by the Clerk.

A Message to the House pr Geo: Jaffrey & Jn^o Frost Esq^rs w^th y^e vote of Coun for granting the Prayer of Lond^o Derry Petition further to be Considered.

Adjourn'd till tomorrow 10 a'Clock A : M :

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Pro N. Hamp^rs

At a Gen^l assem held at Portsm^o
by adjournm^t April 14 : 1726.
Present In Coun
His Honour John Wentworth Esq^re L^t Gov^r

Mark Hunking, Geo : Jaffrey, Shad^a Walton } Esq^rs
Rich^d Wibird, Tho^s Westbrook, Joth Odiorne } Esq^rs

A Message to the house by Col^o Westbrook and Cap^t Odiorne with a bill for Cutting off an Intail made by Peter Coffin* Esq^re dec^d Pass'd to be Engrost.

* Peter Coffin, Esq., died at Exeter March 21, 1715. The Boston *News-Letter*, of March 25th, 1715, says: "On Monday, the 21st current, died at Exeter, the honorable Peter Coffin, Esq., in the 86th year of his age, who was late judge of his Majesty's Superiour Court of Judicature, and first member of his Majesty's Council of this Province, a gentleman very serviceable both in Church and State."—ED.

A Message to the board by Cap$^{t}$ Downing with the Said bill concurr'd with in the house.

Adjourn'd till tomorrow 10 a'Clock A: M:

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ Assem. held at Portsm$^{o}$ by adjournm$^{t}$ April 15, 1726.

Present in Coun.

His Hon$^{r}$ Jn$^{o}$ Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Sha$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Tho: Westbrook, Joth Odiorne } Esq$^{rs}$

[P. 401.]

A Message to the house by Cap$^{t}$ Wibird with a Vote of Council for a Committe of audit which was return'd by M$^{r}$ Sanburn and is as follows.

In Coun April 15$^{th}$ 1726

Voted That George Jaffrey Esq$^{re}$ Mark Hunking Esq$^{re}$ and Rich$^{d}$ Wibird Esq$^{re}$ be of the Committee of audit from the board to examine the publick accounts to be brought under Consideration this Sessions, and to Continue Auditors for the year ensuing.

Rich$^{d}$ Waldron Cler Con

In the House of Represen$^{t}$ Eod die.

Read and Concurr'd and Andrew Wiggin Esq$^{re}$ Cap$^{t}$ Fellows and M$^{r}$ Atkinson appointed to be of the Committe of this house for y$^{e}$ Service above.

James Jaffry Cler assem

A Message to the board by Mess$^{rs}$ Fellows & Dennet to Pray His Honour's favour in adjourning the Gen$^{l}$ assem till the Week after next w$^{ch}$ motion His Hon$^{r}$ promised to take und$^{r}$ consideration.

A Message to the house by Geo Jaffrey & Rich$^{r}$ Wibird Esq$^{rs}$ to recommend to their Consideration an allowance for the Indians as a Present at the ratification.

A Message to the board by Mess$^{rs}$ Downing and Sanburn with the following vote.

In The House of Represen$^{t}$ April 15, 1726

The Trustees for Exchanging y$^{e}$ £5384 of the old broken defaced bills of the old Impression Delivered to y$^{e}$ Gen$^{l}$ assem 146: 16: 3 w$^{ch}$ was burnt to ashes, y$^{e}$ Same was D'$^{d}$ by y$^{e}$ following persons (viz)

[p. 402.]

| | | |
|---|---|---|
| By Col$^{o}$ Mark Hunking | £12: | 19: 6 |
| Col$^{o}$ Peter Wear | £82: | 1: |
| Rich$^{d}$ Wibird Esq$^{re}$ | £39: | 5: 3 |
| Col$^{o}$ Jn$^{o}$ Plaisted | £12: | 10: 6 |
| | £146: | 16: 3 |

Voted That Each of the above Persons are discharged of the Sums as above carryed off against their names.

James Jaffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

A Message to the board by M$^{r}$ Atkinson and Cap$^{t}$ Gillman with y$^{e}$ following votes.

In the house of Represen$^{t}$ April 14$^{th}$ 1726.

Voted That three of the Members of the house wait upon His Hon$^{r}$ the L$^{t}$ Gov$^{r}$ to assist at y$^{e}$ ratification of the Peace with the Indians at Casco in behalf of this Province: and That M$^{r}$ Speak$^{r}$ Wear M$^{r}$ Theodore Atkinson and Maj$^{r}$ John Gillman are the Persons chosen out of this house for that Service.

James Jeffry Cler assem.

In Coun April 15, 1726

Read and Concurr'd and Geo: Jaffrey Esq$^{re}$ Shad$^{a}$ Walton Esq$^{re}$ & Rich$^{d}$ Wibird Esq$^{re}$ are hereby appointed for y$^{e}$ Service above.

Rich$^{d}$ Waldron Cler: Con.

In The house of Represen$^{t}$ April 15$^{th}$ 1726

Voted That the Treas$^{r}$ Supply His Hon$^{r}$ y$^{e}$ L$^{t}$ Gov$^{r}$ and those Gentlemen appointed to wait on him to Casco to ratifie the Peace with the Indians with the Sum of twenty pounds to be Used at their Discretion as a Present for the Indians, and further that he likewise [P. 403.] Supply His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ and those Gent$^{n}$ appointed to wait on him to Casco w$^{th}$ all Such necessarys as may be by them tho't Convenient for their Stores.

James Jeffry Cler assem.

In Coun. Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

Adjourn'd till y$^{e}$ 26$^{th}$ Inst

---

Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem. held at Portsm$^{o}$ by adjournment Apr$^{l}$ 26$^{th}$ 1726.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Tho$^{s}$ Westbrook, Jn$^{o}$ Frost } Esq$^{rs}$

Joth Odiorne Esq$^{re}$

A Message to the board by Mess$^{rs}$ Davis Tibbits and Fellows to acquaint His Hon$^{r}$ the L$^{t}$ Gov$^{r}$ & Council that there was two New Memb$^{rs}$ added to the house (viz) Cap$^{t}$ Paul Gerrish & M$^{r}$ Eben$^{r}$ Stevens whom they presented to be qualified by having the proper oaths administered to them which was done accordingly.

Cap$^{t}$ Josh$^{a}$ Wingate being admited to the board presented a Petition by way of Caveat to the granting Sandybench Petition w$^{ch}$ was rec$^{d}$ and Sent down to the house pr Col$^{o}$ Westbrook.

Adjourn'd till tomorrow 10 a'clock A. M.

Pro N. Hamp^re

At a Gen^l assem. held at Portsm^o by adjournment April 27, 1726.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jaffrey } Esq^rs

Shad^a Walton, Rich^d Wibird, Jn^o Frost } Esq^rs

Joth Odiorne Esq^re

[P. 404.] A Message to the board by Col^o Davis and Cap^t Gerrish with an answer to the L^t Gov^rs Speech as follows

We thank your Honour for your care & concern for our private affairs at this busy time of the year in recommending to us that this Sessions may be but Short least our husbandry may Suffer thereby

We shall proceed to the Choice of some Suitable Persons to attend Yo^r Hon^r to Casco bay or Elsewhere in conjunction with the Goverment of the Massachusets for the confirmation of the late treaty of Peace and likewise make Suitable provisions for y^e Honourable support of your Honour and those Gentlemen that Shall attend your Honour thither.

We thank your Hon^r for Communicating to us the Contents of Your letter from L^t Gov^r Dummer relating to a letter from the Indians and We are of opinion with your Hon^r that the French are very busy at work to prevent the good Effects of the Peace lately agreed upon but hope all their Endeavours to that end will be blasted.

As to the setling the lines between y^e Goverm^ts we shall take it under our Serious Consideration.

We rejoice at His Maj^ties Safe arrival to His Kingdome again and heartily Joyn with Your Honour in a congratulatory address on His late wonderful preservation when in so imminent danger at Sea and for His wise and prudent alliances made for the Strengthening our national Interest both abroad & at home.

We shall take care that all Acts relating to publick Funds be punctually complyed with as much as lies in our power least y^e Publick Faith Should suffer any Diminution.

Peter Wear Speak^r

A Message to the board by Mess^rs Davis Tibbits and Gerrish w^th y^e vote of Coun for making a new Town at Sandy beach non-concurr'd.

Adjourn'd till Tomorrow 10 a'clock A: M:

[P. 405.] Pro N. Hamp^re

At a Gen^l assem held at Portsm^o by adjor^t April 28^th 1726.

Present.

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Tho^s Westbrook, Jn^o Frost } Esq^rs

Joth Odiorne Esq^re

A Message to the board by Cap^t Wiggin & M^r Stevens with the following votes.

In The house of Represen^t

Apr^l 28, 1726.

Whereas there was a Vote of the Gen^l assem May 28^th 1720, That the Treasurer should pay twelve pounds pr annum out of the Town of Gosport Province rate, To the Town of New Castle,

Voted That the S'^d Twelve pounds [be] paid out of the Publick Treasury for the use of the Province.

James Jeffry Cler assem

In Coun. Eod die

Read and Concurr'd.

Rich^d Waldron Cler Con

In The House of Represen^t

Apr^l 28^th 1726.

Allowed Sam^l French out of the Treasury eight pounds sixteen to discharge his acc^t for cure of a Gunshot.

Jam. Jeffry Cler assem^l

In Coun Eod die

Read and Concurr'd:

Rich^d Waldron Cler Con.

The following Persons omitted in Cap^t Jn^o Gillman's Muster Rol allowed as Set off ag^st Their names (viz).

| | | |
|---|---|---|
| Sam^l Elkins | 10 days | £ –: 14: 4 |
| Jn^o Rawlins | 7 days | £ –: 10: — |

| | |
|---|---|
| Moses Norris 5 days | £ –: 7: 2 |
| Jon[a] Glidden 16 days | £ 1: 2: 10 |
| Jon[a] Mudget 15 days | £ 1: 1: 5 |
| Josh. Norton 28 days | £ 2: –: – |
| | 5: 15: 9 |
| Eln[a] Dam 21 days | 1: 10: – |

Apr[l] 28, 1726 James Jeffry Cler assem

[P. 406.] In Coun Eod die

Read and Concurr'd.

Rich[d] Waldron Cler Con

A Message to the board by Cap[t] Tibbits & Cap[t] Gerrish with the following votes

In the House of Represen[t] Apr[l] 28, 1726

Voted That The Records of Deeds for the Province of New Hamp[re] be constantly kept at some convenient house at the bank in Portsm[o] and also—

Voted That Col[o] Mark Hunking Esq[re] be the Recorder of Deeds for the Province of N. Hamp[re] for three years from y[e] 10[th] day of May next.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

Rich[d] Waldron Cler Con

In The House of Represen[t] Apr[l] 28[th] 1726.

Voted That the Recorder of Deeds and Conveyances for this Province Shall take for recording Each Deed mortgage or Conveyance after the rate of one Shilling for each page of eight and twenty lines in each page & eight words in a line and Sixpence for his attestation, and no more on y[e] penalty by law provided.

Jam Jeffry Cler assem.

In Coun Eod die

Read and Concurrd.

Rich[d] Waldron Cler Con

A Message to the board by Mess$^{rs}$ Davis & Wiggin with a Vote for repealing the old laws.

Adjourn'd till tomorrow
9 a clock A: M:

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$
by adjournm$^{t}$ Apr$^{l}$ 29$^{th}$ 1726
Present

His Hon$^{r}$ Jn$^{o}$ Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
Rich$^{d}$ Wibird, Tho$^{s}$ Westbrook, Jn$^{o}$ Frost } Esq$^{rs}$

Joth Odiorne Esq$^{re}$

[P. 407.] A Message to the House by Col$^{o}$ Walton & Cap$^{t}$ Frost with the vote of the House sent up yesterday for repealing the old laws non-concurr'd and a vote of Council for a Committe to supervise ye laws.

A Message to the House by Mess$^{rs}$ Jaffrey Westbrook & Frost with a vote for addressing His Majestie

Adjourn'd till tomorrow
9 a'clock A: M:

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Pro N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$
by adjournment April 30$^{th}$ 1726
Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Sam$^{l}$ Penhallow, Mark Hunking, Geo: Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
Tho$^{s}$ Westbrook, Jn$^{o}$ Frost, Joth Odiorne, Rich$^{d}$ Wibird } Esq$^{rs}$

The Vote of Coun. sent down yesterday for an address to His Majestie ab$^{t}$ y$^{e}$ lines return'd non-concurr'd.

A Message to the board by Mess$^{rs}$ Wiggin & Sanburn with the following vote

In The House of Represen$^{t}$ Apr$^{l}$ 30$^{th}$ 1726.

Whereas His Hon$^{r}$ the Lieut Gov$^{r}$ hath had the whole Government as Command'r In Chief Still continued upon him Voted That His Hon$^{r}$ be presented and paid out of the Publick Treasury w$^{th}$ y$^{e}$ Sum of one hundred pounds for His Extraordinary care and Service done.

Jam. Jeffrey Cler assem.

In Coun Eod die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

A Message to the board by Mess$^{rs}$ Downing & Gerrish with the following vote.

In The House of Represen$^{t}$ Apr$^{l}$ 30$^{th}$ 1726

Voted That the Plates for Impressing y$^{e}$ paper bills of this Province be D'$^{d}$ Col$^{o}$ John Plaisted (from whome they were taken) for y$^{e}$ Safekeeping thereof, for y$^{e}$ use of y$^{e}$ Province.

Jam Jeffry Cler assem

In Coun Eod die

Read and Concurred.

Rich$^{d}$ Waldron Cler Con

[P. 408.] Ordered

That the Grand Committe for the fifteen thousand pounds immediately Set up notifications on the Publick meeting houses throughout this Province Requiring y$^{e}$ Persons that have taken any of that mony before the Fall Sessions to Comply with that act relating to that mony or otherwise y$^{e}$ law to be put in Execution against them, and that a Copy of this vote be set up with their notifications.

Jam Jeffrey Cler assem.

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

The Petitioners for a Parish at Sandy-beach having obtain'd leave to bring in a bill, Presented one accordingly, w$^{ch}$ having had Its Several readings in Each house the same

was Pass'd to be Enacted, and was Sign'd & Sealed accordingly.

The title is

"An Act for Settling and Establishing
"Two Parishes In the Town of New Castle.

Adjourned till y^e^ 18^th^ of May next

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Pro: of N. Hamp^re^

At a Gen^l^ assem held at Portsm^o^ by adjournment May 18^th^ 1726

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo Jaffrey } Esq^rs^

Rich^d^ Wibird, Tho^s^ Westbrook, Joth Odiorne } Esq^rs^

Adjourn'd Til tomorrow 10 a'clock A: M:

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Pro of N. Hamp^re^

At a Gen^l^ assem. held at Portsm^o^ by adjournm^t^ May 19^th^ 1726.

Present

His Hon^r^ John Wentworth Esq^re^ L^t^ Gov^r^

Sam^l^ Penhallow, Mark Hunking, Geo: Jaffrey, Shad^a^ Walton } Esq^rs^

Rich^d^ Wibird, Tho^s^ Westbrook, Jn^o^ Frost, Joth Odiorne } Esq^rs^

[P. 409.] A Message to the board with y^e^ following votes &c

| | |
|---|---|
| John Wentworth for Stores at the Fort | £6: 14: – |
| John Peacock for cleaning and mending arms | £9: 9: 4 |
| Benj^a^ Rust for Sundry Expences | £9: 17: 8 |
| Jon^a^ Sanburn's Muster Rol for 10 men 3 days for Prov^n^ | £1: 10: – |
| Ditto's Muster Rol for 19 men 3 days for provisions | £2: 17: – |
| Ditto's Muster rol for 12 men 3 days as above | £1: 16: – |

Dittos acc$^{t}$ &c$^{a}$ £3: 6: –

Mess$^{rs}$ Jaffrey & Dennet for farming y$^{e}$ Excise 10 Each £1: —: –

In The House of Represen$^{t}$ May 19$^{th}$ 1726.

Voted That the above acc$^{ts}$ be allowed and paid out of the publick Treasury as y$^{e}$ Sums are carry'd off.

Jam Jeffrey Cler Assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

In The House of Represen$^{t}$ May 19$^{th}$ 1726

Allowed In Discharge of Edw$^{d}$ Halls Muster Rol £6: 2: 6.

Jam Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

Adjourn'd till tomorrow 10 a Clock A. M:

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Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adj$^{t}$ May 20$^{th}$ 1726.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo: Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Sam$^{l}$ Penhallow, Rich$^{d}$ Wibird, Tho$^{s}$ Westbrook } Esq$^{rs}$

Joth Odiorne Esq$^{re}$

A Message to the Board by Mess$^{rs}$ Stevens & Sanburn with the following Votes and allowances viz

To Shad$^{a}$ Walton Esq Jn$^{o}$ Frost Esq$^{re}$ Jn$^{o}$ Gillman Esq$^{re}$ & M$^{r}$ Theo: Atkinson five pounds each for accompanying the L$^{t}$ Gov$^{r}$ to Boston on a Treaty w$^{th}$ y$^{e}$ Ind$^{ns}$

Pass'd In y$^{e}$ House of represen$^{t}$ May 19$^{th}$ 1726.

J. Jeffry Cler assem.

[P. 410.] In Coun May 20$^{th}$ 1726

Read and Concurr'd R. Waldron Cler Con

Allowed to the Gent[n] that were sent to Pennecook (1) and their attend[ce] thirty-one pounds Seventeen Shillings & Eleven pence for their Time horse hire & Expences to be p[d] to M[r] Atkinson and by him to be disposed of according to the Vote on file.

Past In the House
May 20[th] 1726

J. Jeffry Cler assem

In Coun. Eod die
Read and Concurr'd

Rich[d] Waldron Cler Con

In The House of represen[t] Apr[l] 30[th] 1726

Whereas the boundaries of this Province remain yet unsettled which is much to the damage of this His Maj[ties] Government Especially Inasmuch as the Government of the Mass[a] have lately disposed of and laid out Considerable Tracts of land which is reasonably Supposed to be far within the bounds of this Province, and are about granting more of the S[d] lands which is a very Great grievance—

Voted That Instructions be drawn up & sent to M[r] Agent Newman to prosecute and Endeavour a Speedy settlement of the lines between this Goverment & that of the Mass[a] both In length and breadth in a more Certain Manner than yet hath been done, and that M[r] Agent Newman have one hundred pound of this Mony Sent him to Enable him to prosecute the same and for other his good services, and that Cap[t] William Fellows & M[r] Theo: Atkinson be a Committe of this House to Joyn w[th] a Comitte of the upper House to draw up Instructions for the Said agent accordingly.

J Jeffrey Cler assem.

In Coun May 20[th] 1726.

Read and Concurr'd and Geo Jaffrey & Rich[d] Wibird Esq[rs] appointed for y[e] Service above

R. Waldron Cler Con

(1) See Records of Council, p. 12, of this Vol.

[P. 411.] Thomas Westbrook Esq^re moved to His Honour the Lieu^t Gov^r that he the S^d Westbrook was Informed that he was postponed in the order of Councill^rs his name misplaced in the Council book and had not his Vote regularly at the Board contrary to His Maj^ties Instructions and pray'd his Hon^r to be referr'd to the S^d Instructions to see whether It was so or not. Whereupon His Honour produced & exexamin'd the S'^d Instructions and declared that the S^d Westbrooks name was not Entered In the Council book agreeable to the S^d Instructions, but withall Inasmuch as the form of the Entry was by Gov^r Shutes order, he should make no alteration til he heard whether Gov^r Shute would return to this Goverment or not.

Adjourn'd till tomorrow 9 a'Clock A : M :

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Pro : of N. Hamp^re

At a Gen^l assembly held at Portsm° by adj^t May 21^st 1726.

Present In Coun.

His Hon^r John Wentworth Esq L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo Jaffrey } Esq^rs

Shad^a Walton, Rich^d Wibird, Tho^s Westbrook } Esq^rs

Geo Jaffrey Presented to the Board the draught of an address to His Maj^tie which was read and accepted and Sent down to the house by y^e Clerk a Copy of which is on file.

A Message to the Board by Mess^rs Tibbits and Atkinson with the following votes.

In The House of represen^t
May 21^st 1726.

Voted that there be Sign'd off of the two thousand pounds last Imprinted the Sum of eight pounds and put into the Treasury for the payment of the Sundry Debts now allowed & remaining due from the Province and other

contingencies that may happen and that His Hon$^{r}$ the L$^{t}$ Gov$^{r}$ be desired to Issue out warrants for the payment of what is yet unpaid.

J Jeffrey Cler assem.

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con.

[P. 412.] Voted That His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ be desired to agree with five Suitable persons to Survey the land at y$^{e}$ head of Barrington and the pond of Winnipishoky to ascertain how three New Towns now petitioned for may be laid out, and that the Petitioners for those Towns pay the Charges Ja Jaffrey Cler assem.

In Coun Eod die

Read and Concurr'd

R Waldron Cler Con

Ordered that the Consideration of building a Court House be Suspended til next Session

A Message to the board by Mess$^{rs}$ Gerrish & Stevens w$^{th}$ a Vote for removing the Courts which was read and nonconcurr'd & sent back by the Clerk.

A Message to the Board by Mess$^{rs}$ Gerrish Atkinson and Stevens with the following votes.

In The House of Represen$^{t}$

May 21$^{st}$ 1726.

Voted That the Seventeen hundred and thirty pounds that is now in Several persons hands for which they have Given their Bonds be paid unto the Treasurer in Bills of Credit on this Province or if they shall desire to keep the several Sums of mony they now stand Indebted for that then they or any of them shall give Such further Security as shall be approved of by the Gen$^{l}$ assembly, and that the Interest now due on the Said bonds be rec'd by the Treas$^{r}$ at two and a half pr Cent pr annum and that the tenour of the Said bonds be at 2 & 1-2 pr C$^{t}$ pr ann for y$^{e}$ future.

Jam. Jeffrey Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich[d] Waldron Cler Con

In The House of Represen[t] May 21[st] 1726.

Whereas the Lieu[t] Gov[r] hath had the whole Goverment as Command[r] In Chief still continued upon him, and been at Extraordinary Charges, Voted That there be paid out of the Publick Treasury as an additional present to what was last Given him the Sum of twenty five pounds.

James Jeffry Cler assem

In Coun Eod Die.

Read and Concurr'd

R. Waldron Cler Con

[P. 413.] In The House of Represent May 21[st] 1726.

Voted That M[r] Clerk Waldron be paid out of the Publick Treasury the sum of Seventy seven pounds ten Shillings for his Service and what was Short paid him last — and that M[r] Sher: Gambling be paid out of the Treasnry the Sum of fifteen pounds for his years service being in war time.

Jam Jeffry Cler assem

In Coun Eod Die

Read and Concurred

R. Waldron Cler Con.

Upon a fresh application made by Col[o] Westbrook to have his name rightly placed In the Council book &c[a] as by his Memorial on file, and Col[o] Walton also representing at the same time that as it had appeared by the Instructions that he also was postponed in y[e] order of Council[rs] and praying he may be righted, It is ordered by His Hon[r] that the Consideration of the Said Motions be Suspended til next monday come sennet at which time It is likewise order'd that a full Council be Summoned.

Prorogued till y[e] 8[th] of October next

Pro: N. Hamp^re

At a Coun held at y^e Council Chamb^r
In Portsm^o June 30^th 1726
Present
His Hon^r John Wentworth Esq^re L^t Gov^r

Sam^l Penhallow, Mark Hunking, Geo: Jeffrey, Shad^a Walton } Esq^rs
Rich^d Wibird, Tho^s Westbrook, Jn^o Frost, Joth Odiorne } Esq^rs

Upon a rehearing of the Motions of Col^o Walton and Col^o Westbrook for being rightly placed in the order of Council^rs as Minuted the 20^th & 21^st Instant It is ordered that the Consideration thereof be further Suspended for the Space of Six months or til Gov^r Shutes return.

The Gen^l assem was further
Prorogued til y^e 21^st Novemb^r 1726

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[P. 414.] Pro of N. Hamp^re

At a Gen^l assembly held at Portsmouth by Prorogation on tuesday y^e 21^st Novemb^r 1726
Present.
His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs
R. Wibird, A Macpheadris, Jn^o Frost } Esq^rs

Joth Odiorne Esq^re
Adjourned til tomorrow 10 a'Clock A: M:

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Met again Nov^r 22^d 1726
Present
As Before

The Committe appointed to write to M^r Newman laid before the Board a letter from him w^th y^e Copy of a Memorial to His Majesty and a Copy of a letter to y^e Plantation Board which were read and Sent down by y^e Clerk

Adjourned til tomorrow 10 a'Clock A: M:

[From MS. Correspondence in Secretary's office, p. 53.]

Middle Temple,
20th Aug. 1726.

*Dear Sr:*

This accompanys a Copy of my last of 29th July, by Dr. Boylston in Letherhead, and acknowledges the Rec$^{t}$ of y$^{r}$ favour of the 9th of March, since which I have received yo$^{r}$ letter of the 17th of June signifying that you had wrote to me of the 12th of April, which I don't find ever came to hand.

In obedience to the order of the Committee of both Houses, I immediately put in a memorial to the Board of trade,—copy of which is here inclosed, with my letter to the said Committee thereupon, to which I beg leave to refer you, and for other particulars therein mentioned.

I have since obtained a Reference of my memorial to the King, on the subject of the Lines, to the Lords Commission$^{rs}$ of Trade, and the same is now lodg'd at the Board of Trade for a day to give Mr. Dummer and me the Hearing.

How far M$^{r}$ Dummer may draw me into a contest about this matter must be left to time; I can only say that if the Province will support me, nothing shall be wanting on my part to defend their interests.

I immediately waited on the D. of New Castle with the address of the Province to his Majesty, but his grace being at his Country Seat at Claremont where he expects his Majesty, I was advised to delay presenting it, till his return.

I beg leave to refer you for the rest to the print herewith sent, and assure you that I am, Dear Sr,

Y$^{r}$ most humble servant,

HENRY NEWMAN

Lieut. Gov$^{r}$ Wentworth.

The Gov$^{r}$ (1) is well, being gone into Derbyshire to make my Ld. President a visit upon invitation. I told him you had wrote several letters without receiving any answer; but he assured me he had acknowledged them all, by letters, w$^{ch}$ I hope you have rec$^{d}$ ere this.

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Pro: N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsm$^{o}$
by adj$^{t}$ Nov$^{r}$ 23$^{d}$ 1726

Present.

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo: Jaffrey, Rich$^{d}$ Wibird ? } Esq$^{rs}$

A Macpheadris, Rich$^{d}$ Wibird } Esq$^{rs}$

(1) Govr. Samuel Shute was at this time in England.

A Message to the Board pr Mess^rs^ Redman & Tibbits to acquaint His Hon^r^ that there was a New Member return'd to Serve for y^e^ Parish of Rye & to pray he may be qualified w^ch^ was done.

A Message to the House w^th^ the Instrument of Pacification Signed by y^e^ Indians &c^a^.

A Message to the Board by Cap^t^ Gerrish & M^r^ Jennis with the following Vote.

In The House of Represen^t^
9^br^ 23^d^ 1726

Voted That the Prayer of Hampton Falls Petition be granted so far (viz) That the South Parish of Hampton call'd the falls Parish be Impowered fully & Separately [p. 415.] by themselves to Make a rate on all Persons & Estates within Said Parish for the payment of their Minister's Salary at all times hereafter and be utterly free from having anything to do with the first Parish or y^e^ first Parish In Hampton with them relating to the Minister's Salary.

Ja Jeffrey Cler assem

In Coun Eod Die

Read and Concurr'd

R. Waldron Cler Con

A Message to the House pr M^r^ Jaffrey w^th^ a Vote of the Gen^l^ assembly of the Mass^a^ for appointing Commissioners to Settle the Province lines &c^a^

John Hobby Esq Presented a Memorial To the Board Praying the Gen^l^ [assem.] to appoint a Committe to Compound with him for his claim on one half of the Province which was read and sent down.

A Message to the Board by M^r^ Tibbits with a Vote appointing a Committe to Number & Count over the Bills to be burnt this Sessions.

The Gent^n^ of the House for that Service are

Mess^rs^ { Fellows, Dennet, Atkinson

of the Board
Mess$^{rs}$ { Wibird
Macpheadris
Odiorne

Adjourned til tomorrow 10 a'Clock A: M:

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Pro: N Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsmouth by adj$^{t}$ Nov$^{r}$ 24$^{th}$ 1726.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
Rich$^{d}$ Wibird, Arch$^{d}$ Macpheadris, Joth Odiorne } Esq$^{rs}$

This day a Conference has held at the Council Chamber upon M$^{r}$ Hobby's Memorial which being over the House withdrew to their own apartment.

Adj$^{t}$ til tomorrow 10 a'Clock A: M:

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[P. 416.] Pro: of N. Hamp$^{re}$

At a Gen$^{l}$ assem. by adjournm$^{t}$ Nov 25$^{th}$ 1726.

Present

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
A Macpheadris, Jn$^{o}$ Frost, Joth Odiorne } Esq$^{rs}$

Devereax Bacon Esq$^{re}$ appearing at the Board Presented His Majesties Letters Patent appointing him Naval officer and a Warr$^{t}$ to be Collector &c$^{a}$ To whom His Hon$^{r}$ caused the proper oaths to be administered.

Adjourned til tomorrow 10 aClock A: M:

Pro: of N. Hamp^re^

At a Gen^l^ assem. by adj^t^ Nov 26^th^ 1726

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey, Shad^a^ Walton } Esq^rs^ — R Wibird, A Macpheadris, Jn^o^ Frost } Esq^rs^

Joth Odiorne Esq^re^

The following Vote p^r^ M^r^ Downing

Whereas there was delivered to the Assembly by the Trustees for Exchanging the five thousand three hundred Eighty four pounds of the Cypher bills and burnt in their Presence,

| | | |
|---|---|---|
| By Rich^d^ Wibird Esq^re^ | £77: | 3: 6 |
| Col^o^ Plaisted | £51: | 15: 1 1–2 |
| Col^o^ Weare | £55: | 4: 9 |
| G. Jaffrey Esq^re^ | £62: | 6: 6 |
| Col^o^ Hunking | £20: | 3: 6 |
| | £266: | 13: 4 1–2 |

Voted That Each of the Persons above named be discharged of the Several Sums set off ag^st^ their names

9^br^ 27: 1726 Jam Jeffry Cler assem

In Coun Eod die

Read and Concurrd R. Waldron Cler Con

Adjourn'd til tuesday the 29^th^ Instant.

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[P. 417.] Pro: of N. Hamp^re^

At a Gen^l^ assem by adj^t^ on Tuesday y^e^ 29^th^ Nov^r^ 1726.

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo: Jaffrey } Esq^rs^ — Shad^a^ Walton, Joth Odiorne } Esq^rs^

adj^t^ til tomorrow 10 a'clock A: M:

Pro of N. Hamp^re

At a Gen^l assem pr adj^t Wednesday
y^e 30^th Nov^r 1726.

Present as Before

also

Arch^d Macpheadris
Jn^o Frost
} Esq^rs

By M^r Dennet y^e following Vote
In The House of represen^t

The Memorial of John Hobby Esq having been Considered in this House The House are of opinion y^t the Laws of the Province are Sufficient to determine any controversie with respect to any title of land lying w^th in the Same and It being unpresidented for this House to take any Cognisance where the Title of land is determinable by the Courts of Common law within this Province, Therefore Voted

That the Said Memorial be dismist

9^br 30^th 1726. Jam Jaffry Cler assem.

In Coun Eod die

Read and Concurrd.

R. Waldron Cler Con

Adj^d til tomorrow 10 aClock A. M.

---

Pro of N. Hamp.

At a Gen^l assem by adj^t
thursday Dec^r 1^st 1726.

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

Mark Hunking
Geo : Jaffrey
Shad^a Walton
} Esq^rs

R. Wibird
A Macpheadris
Jn^o Frost
} Esq^rs

Joth Odiorne Esq^re

The following allowances Pass'd In the House and brot to the Board by Mess^rs Dennet & Sanburn

[P. 418.]

| | | |
|---|---|---|
| No. 1. | Stephen Greenleaf | £56: 17: – |
| 2. | Dan$^{l}$ Moulton | £30: —: 5 |
| 3. | Dan$^{l}$ Moulton | £ 1: 5: 4 |
| 4. | Rich$^{d}$ Perry | £ 4: 10: – |
| 5. | Jn$^{o}$ Ayres | £ 1: 12: – |
| 6. | Tho$^{s}$ Smith | £—: 18: 8 |
| 7. | Jn$^{o}$ Wentworth | £ 3: 16: 8 |
| 8. | W$^{m}$ Diverre & Tho$^{s}$ Noble | £ 4: 2: – |
| 9. | Jn$^{o}$ Robinson | £28: 5: 4 |
| 10. | W$^{m}$ Fellows | £ 2: 17: 3 |
| 11. | Jos Moulton | £ 1: 16: – |
| 12. | Jn$^{o}$ Peacock | £ 2: 15: 6 |
| 13. | Jn$^{o}$ Roberts | £ 1: 8: 4 |
| 14. | Jam Jeffry | £ 2: 11: 6 |
| 15. | Gent$^{n}$ Coun & assem. going East | £80: —: – |
| | Jn$^{o}$ Griffiths | £—: 10: – |
| | Sam$^{l}$ Waters | £ 1: 9: 3 |
| | Benj$^{a}$ Rust | £ 6: 11: 8 |
| | M$^{r}$ Fitch | £ 8: —: – |
| | Benj$^{a}$ akerman | £ 5: —: – |
| | Jam Titcome | £ 5: —: – |
| | Cyp$^{n}$ Jeffry | £ 3: —: – |
| | Jn$^{o}$ Wentworth | £ 6: —: – |
| | Benj$^{a}$ Akerman | £ 1: 5: – |

Nov$^{r}$ 26 & Dec$^{r}$ 1$^{st}$ 1726.
Pass'd Jam: Jeffry Cler assem

In Coun.
Dec$^{r}$ 1$^{st}$ 1726

Read and Concurr'd

R. Waldron Cler Con.

A Message to the Board by Mess$^{rs}$ Dennet and Sanburn as follows

Voted In the House Dec 1$^{st}$ 1726 That We think it not proper to Chuse any Commissioners to Joyn w$^{th}$ Commissioners of y$^{e}$ Mass$^{a}$ to settle y$^{e}$ line the whole matter being submitted to His Most Gracious Majestie

Jam Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

A Message to the Board by Maj Gillman w$^{th}$ y$^{e}$ following allowances

To James Jeffry as Cler assem from 9$^{br}$ 1725
to 19$^{th}$ 9$^{br}$ 1726 & for draughts of ye Prov. £15: —: —
To and$^{w}$ Wiggin Esq for money Expended on
a Scout £ 1: —: —
To Cap$^{t}$ Walker for himself & Troop £11: —: —

Pass'd In the House Dec$^{r}$ 1$^{st}$ 1726
Jam: Jeffry Cler assem

In Coun Eod die
Read and Concurr'd
Rich$^{d}$ Waldron

By The Same Message an allowance To M$^{r}$ Eleaz$^{r}$ Russel of His acc$^{t}$ being £7: 14: —

Jam$^{s}$ Jeffry Cler assem
R. Waldron Cler Con

Adj$^{d}$ til tomorrow 10 aClock A: M.

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[P. 419.] Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjournm$^{t}$ on fryday Dec$^{r}$ 2$^{d}$ 1726

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
Rich$^{d}$ Wibird, A Macpheadris, Jn$^{o}$ Frost } Esq$^{rs}$

Joth Odiorne Esq$^{re}$

A Message to the House pr Geo Jaffrey Esq w$^{th}$ a Vote of Council w$^{ch}$ was bro$^{t}$ back by and$^{w}$ Wiggin Esq$^{re}$ & is as follows

Whereas the Inf$^{r}$ Court of Common pleas & Sup$^{r}$ Court of Judicature are always or for the most part retarded In their Sessions for want of Competent Jurors & a Sufficient number of them therefore Voted that a bill be prepared in addition to an act to return able & Sufficient Jurors as at large in the S$^{d}$ Vote & act on file.

Adj$^{d}$ til tomorrow 10 aClock A: M:

Pro: of N. Hamp^re

At a Gen^l assem by adj^t Saturday Dec 3^d 1726

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

R. Wibird, A macpheadris, Jn^o Frost } Esq^rs

Joth Odiorne Esq^re

A Message to the Board pr Mess^rs Atkinson & Tibbits with the following vote.

In The House of Represen^t Dec^r 1, 1726

Voted That there be Sign'd off of y^e two thousand pounds last Imprinted the Sum of two hundred twenty-eight p^ds & nine pence and also two hundred pounds of y^e five hund^d pounds last printed for exchanging the broken mony & also two hundred forty-two pounds nine Shillings and nine pence being blank Bills left of the late Impressions and for a fund for paying the sum of two hundred forty two p'^ds nine Shillings and nine pence Voted that It be raised by a Tax on the Inhabitants of this Province to be paid in y^e year 1737 and when bro^t into the Treasury to be burnt to ashes In presence of the Gen^l assem and the same to be paid in such Specie as the [P. 420.] Gen^l assem. Shall agree upon and that an Act be drawn up accordingly

Jam Jeffry Cler assem

In Coun Dec^r 3^d 1726.

Read and Concurrd

R. Waldron Cler Con

Adj^d til wednesday next 7^th Instant

Pro: of N. Hamp^re

At a Gen^l assem pr adj^t wednesday Dec^r 7^th 1726

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

A Macpheadris, R Wibird, Joth Odiorne } Esq^rs

Adj^d til tomorrow 10 a Clock A M

---

Pro of N. Hamp^re

At a Gen^l assem by adj^t Dec^r 8^th 1726 being thursday.

Present

as Before

also Jn^o Frost Esq^re

This day George Jaffrey Esq was appointed Treasurer and receiv^r General &c^a of this Province with the advice of the Council and a Commission and bond was ordered to be prepared accordingly and notice was given to the House of the Same by Rich^d Wibird & Jn^o Frost Esq^rs

Adj^d till tomorrow 9^th Instant

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Pro of N. Hamp^re

At a Gen^l assem by adj^t Dec^r 9^th 1726 being Thursday [?]

Present

His Hon^r John Wentworth Esq L^t Gov

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, A macpheadris, Joth Odiorne } Esq^rs

A Message to the Board by M^r Tibbits as follows.

In The House of represent Dec^r 9^th 1726

Voted that there be a bill of Exch^a to the Value of fifty p^ds Sterling purchased and sent [P. 421.] M^r agent New-

man For Carrying on the affair of the lines between this Province and the Province of the Mass[a] Government and that the Sum of one hundred and fifty p'[ds] be paid out of the Publick Treasury for purchasing S[d] bill of Exch[a] or what more it will purchase.

Jam Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

A Message to the board by Cap[t] Downing w[th] an allowance to Cap[t] John Knight of four Shillings apiece for himself & thirty men und[r] his Command in Scouting in all £6: 4:

Dec[r] 9[th] 1726. Jam Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

Adj[d] til tomorrow 10 aClock A: M:

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Pro of N. Hamp

At a Gen[l] assem by adj[t] saturday Dec[r] 10[th] 1726.

Present

His Hon[r] John Wentworth Esq L[t] Gov[r]

Mark Hunking, Geo: Jaffrey, Shad[a] Walton } Esq[rs]

R. Wibird, A Macpheadris, Joth Odiorne } Esq[rs]

A Message to the Board by Mess[rs] Sanburn & Stevens w[th] the following Votes or allowances (Viz)

| | |
|---|---|
| To Sam[l] Weeks in full of his acc[ts] | £1: 4: – |
| To Sam[l] & Jn[o] Shackford in full | £2: 3: – |
| To Rich[d] Ward | £– 9: 9 |

X[br] 1726 Jam Jeffrey Cler assem

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con

By The Same Message the following Vote

In The House of Represent

Dec$^{r}$ 10$^{th}$ 1726

Voted That the Same Committe that was appointed to write M$^{r}$ agent Newman be now again Desired to write him for his Service and pray his further Care relating to the lines and Stores w$^{th}$ what further direction they shall think most proper and present It to y$^{e}$ assembly next Sitting for approbation

Jam Jeffry Cler assem

In Coun Eod die

Read and Concurrd R. Waldron Cler Con

adj$^{d}$ til Wednesday y$^{e}$ 14$^{th}$ Inst

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[P. 422.] Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem pr adj$^{t}$ Wednesday Dec$^{r}$ 14$^{th}$ 1726

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton, R Wibird } Esq$^{rs}$

A Macpheadris, Joth Odiorne } Esq$^{rs}$

Adj$^{d}$ til tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp$^{re}$

At a Gen$^{l}$ assem by adj$^{t}$ Dec$^{r}$ 15, 1726.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton, R. Wibird } Esq$^{rs}$

A. Macpheadris, Joth Odiorne } Esq$^{rs}$

In Coun.

Order'd That Mess$^{rs}$ Weare Cate and Lunt be a Committe to run y$^{e}$ line between Exeter & Chester as at large on file

Adj$^{t}$ til tomorrow 10 aClock A M:

Pro: of N. Hamp^re

At a Gen^l assem by adj^t
fryday Dec^r 16^th 1726.

Present,

His Hon^r John Wentworth Esq^re Lieu^t Gov^r

Geo Jaffrey, Shad^a Walton, Rich^d Wibird } Esq^rs
A. Macpheadris, Jn^o Frost, Joth Odiorne } Esq^rs

a Message to the Board by Mess^rs Downing & Sanburn w^th the following vote Voted That the Keep^r of His Maj^ties Goal at Portsm^o have free liberty to sel ale beer & Cyder Excise free and that the S^d Keep^r pay Excise for all wines rum and other Spirits that he Sells as other Publick Houses do from Henceforward

Dec^r 16, 1726. Ja^s Jeffry Cler assem

In Coun Eod die

Read and Concurred

R. Waldron Cler Con

By The Same Message the following allowances viz

To M^r Atkinson In full of his acc^t £13: 13
To Sam^l Hart In full of his acc^t £—: 16

Dec^r 16, 1726. James Jeffry Cler assem

In Coun Eod die

Read and Concurred

R Waldron Cler Con

Adj^d til tomorrow 10 a'Clock A. M.

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[P. 423.] Pro: of N. Hamp

At a Gen^l assem by adj^t Dec^r 17^th 1726.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Geo Jaffrey, Shad^a Walton, R. Wibird } Esq^rs
A Macpheadris, Jn^o Frost, Joth Odiorne } Esq^rs

A Message to the Board by Mess^rs Gerrish & Sanburne

viz Presented to the Gen[l] assem by Geo Jaffrey Esq from the Grand Committe two hundred & two pounds 3: 3 which was burnt In their presence being part of y[e] fifteen thous[d] pounds of w[ch] S[d] Sum of £202: 3: 3 y[e] S[d] Committe are hereby discharged

Dec[r] 17, 1726. Jam[s] Jeffry Cler assem

In Coun Eod Die.

Read and Concurrd

R. Waldron

Presented to the General Assembly by the Exec[r] of Sam[l] Penhallow Esq[re] late Treas[r] Dec[d] fifty two p[ds] ten Shillings and Eleven pence farthing being part of the three hundred pounds put into the Said Penhallows hands for Exch[a] the old broken bills & y[e] S[d] Exec[r] is discharg'd of so much namely £52: 10: 11: 1

Dec[r] 17, 1726 Jam[s] Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

In the House Dec[r] 17, 1726.

allowed the Post Mas[tr] Gen[l] £3: —: —

J Jeffry Cler assem

In Coun Eod Die

Read and Concurrd

R. Waldron Cler Con.

A Message to the Board by Mess[rs] Atkinson & Sanburn with the following votes

In The House of represen[t] Dec[r] 17 1726.

Voted That there be Signed off of the mony now to be printed three hundred pounds and put into y[e] Treasury for y[e] paym[t] of what is now due from the Province

Jam[s] Jeffry Cler assem

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con

In The house of represen$^{t}$ Dec$^{r}$ 17 1726.

Voted That Whereas there are Several Persons Deceased who were Indebted to this Province for Several Sums by bond (viz) [p. 424.] of the Seventeen hundred and thirty pounds. Voted That the Persons who have of that mony in their hands together w$^{th}$ the heirs or exec$^{rs}$ of those who are deceased pay the Principal and Interest or give Sufficient security by Sufficient Bondsmen therefor, and that Col$^{o}$ John Plaisted M$^{r}$ Eph. Dennet and Cap$^{t}$ William Fellows w$^{th}$ those the Council Shall appoint be a Committe to receive the same either the mony or New bonds and security as aforesaid, and also that the Treasurer Get In the Interest mony due from Kingston.

Jam$^{s}$ Jeffry Cler assem.

In Coun. Eod die.

Read and Concurrd

Rich$^{d}$ Waldron Cler: Con.

In The House of Represen$^{t}$ Dec$^{r}$ 17, 1726.

Voted That the Sheriff of this Province be paid out of the Publick Treasury for his care and Service in returning able and Sufficient Jurors for the Several Courts Seven pounds four Shillings pr annum the time to Commence the first of Jan$^{ry}$ next and to Continue for three years.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con

In The house of Represen$^{t}$ Dec$^{r}$ 17$^{th}$ 1726

Whereas His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ hath had the whole Goverm$^{t}$ as Command$^{r}$ In Chief Stil continued upon him and been at Extraordinary charge and trouble,

Voted that there be paid him out of the Publick Treasury the Sum of one hund$^{d}$ & fifty pounds for his Said Extraordinary care & Charges.

James Jeffry Cler assem.

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con

In Coun Dec$^{r}$ 17$^{th}$ 1726.

Ordered that the Petitions of Hampton Dover Exeter Stratham and Newington be granted in Proportion as the land will hold out between Coulerain and the Western Bounds of the Province allowing for what has been heretofore granted to Col$^{o}$ Allen's family New Castle & Greenland and that Charters be made out accordingly as soon as the quantity of y$^{e}$ land is discovered.

R. Waldron Cler Con

[P. 425.] A Message to the House by the Clerk to require their attend$^{a}$ at the Council Board. The Speak$^{r}$ and House came up accordingly and the two Bills whose titles are as follow,

An Act to Settle a Fund for the Sum of four hundred and forty two pounds nine Shillings & nine pence, and

An Act In addition to an act Entituled an act to return able and Sufficient Jurors to Serve in the Several Courts of Justice and to regulate the Election of representatives to Serve in the Gen$^{l}$ assembly within this Province,

Being Sign'd & Seal'd His Hon$^{r}$ was Pleased to Prorogue the Gen$^{l}$ assembly and accordingly they were

Prorogued

Til the first Tuesday In May 1727

---

Pro of N. Hamp$^{re}$

At a General assembly held at Portsmouth by Prorogation Tuesday May 2$^{d}$ 1727.

Present

His Hon$^{r}$ John Wentworth Esq Lieu$^{t}$ Gov$^{r}$

Mark Hunking, Geo: Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

R. Wibird, A Macpheadris, Joth Odiorne } Esq$^{rs}$

Adj$^{d}$ til tomorrow 10 a'Clock A: M:

Met according to adj$^{t}$ Wednesday May 3$^{d}$ 1727
Present as Before

A Message to the House by the Clerk to require their attend$^{a}$ at the Board, the Speak$^{r}$ and House came up accordingly to whom His Hon$^{r}$ made a Speech as on file, of which the Speaker obtained a Copy and then he and the House w$^{th}$drew to their own room.

Adj$^{d}$ til tomorrow 10 a Clock A: M:

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*Governor's Speech, 3d May*, 1727.

[Copied from MS. Governor's Messages, in Secretary's office.]

*Gentlemen*,

Knowing that a long Session at this Season will not be agreeable, I shall not detaine you longer than is necessary to Despatch the business that may come before us.

The Committe appointed to Examin the late Treasurer's Acco$^{ts}$ I conclude have made preparation to lay them before us at the opening of the Session in order to have them fully adjusted.

The State of her Majesties Fort William & Mary I have frequently laid before you. The war that our Nation is now Engaged in with Spaine &c. tho' it does not so nearly affect us, yet we cant Determin where it may end; I would therefore recomend to you, That you make some Provision, at least Two hundred pounds for the repaireing the Wheels & Carriages of the Guns, and the Stone work which is allredy begun.

Mr. Agent Newman advises me that he hopes in a short time to give me a good acc$^{t}$ of the settle$^{mt}$ of the lines, and that he has a faire prospect of obtaining Stores for the Fort; and Gov$^{r}$ Shute Assures me that nothing shall be wanting in him to forward the affaire.

It is highly necessary That an Act of General Assembly be made & fourthwith put in Execution obleiging all vessels to pay there powder money in powder only, and not in money, since the rise of gunpowder is so greate, for instead of a pound of Powder pr Tun it amounts to but half a pound pr Tun.

There has not a pound of powder nor a shilling in money paide nor to pay since November last; neither is there one ship or vessell in the Port to pay, and unless you make an Act to obleige the Sloops that use the River to pay powder money once in a season, which can't be tho't a hardship, it will lye verry heavy on the Govern$^{mt}$ to supply his Majesties Fort upon any Emergent Ocation.

I recomend to you unanimity & good agreem$^{t}$, and make no doubt but you will take effectual care for the Honourable support of this His M$^{ajes}$$^{tys}$ Govern$^{mt}$

J. WENTWORTH.

Province of N. Hampshire.
May 3$^{d}$ 1727.

You will remember calling in £1076: 16: 0, for this p'rent year 1727, according to act of General Assembly J. W.

[p. 426.] Pro of N. Hamp

At a General assembly by adj^t^
thursday 4^th^ May, 1727

Present,

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo Jaffrey<br>Shad^a^ Walton | Esq^rs^ | R. Wibird<br>A. Macpheadris<br>Joth Odiorne | Esq^rs^ |

A Message to the Board by Mess^rs^ Gerrish and Gillman w^th^ a Vote for a Committe to view the Fort & report what repairs are necessary which was concurrd with—the Gent^n^ of the House are

| | | | |
|---|---|---|---|
| Mess^rs^ | Plaisted<br>Wiggin<br>Sanburn | of the Board Mess^rs^ | Jaffrey<br>Walton<br>Macpheadris |

A Message to the Board by Mess^rs^ Wiggin & Jennis w^th^ the late Treas^r^ Penhallows acc^t^ Settled w^th^ His Exec^r^ as on file the Ball^ce^ due to the Province being £115: 8: 3: —

Adj^d^ til tomorrow 10 aClock A. M.

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Pro of N. Hamp

At a Gen^l^ assem. pr adj^t^ fryday May 5^th^ 1727.

Present

His Hon^r^ John Wentworth Esq^re^ L^t^ Gov^r^

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo: Jaffrey<br>Shad^a^ Walton | Esq^rs^ | R. Wibird<br>A. Macpheadris<br>Joth Odiorne | Esq^rs^ |

A Message to the Board by Mess^rs^ Fellows & Jennis for new proportioning the Province Tax, and the Committe appointed to project the Scheme are, of the House Mess^rs^ Weare Gillman Wiggin Fellows Gerrish & Atkinson & of y^e^ Board Mess^rs^ Hunking Jaffrey Walton Wibird Macpheadris, Odiorne.

Adj^d^ til tomorrow 10 a'Clock A. M.

Pro N. Hamp^re

At a Gen^l assem. by adj^t saturday May 6^th 1727.

Present,

His Hon^r John Wentworth Esq^r L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

R. Wibird, A Macpheadris, J^m Odiorne } Esq^rs

A Message to the Board pr Mess^rs Fellows and Sanburn w^th the following vote.

In The House of Represen^t May 6, 1727.

Voted That Cap^t William Fellows, Cap^t Paul Gerrish & M^r Eph^a Dennet be [p. 427] a Committe of this House to Joyn w^th a Committe of the upper House to Examin M^r Treas^r Jaffrey's acc^ts and make return to the General assembly.

Jam^s Jeffrey Cler assem.

In Coun Eod die

Read and Concurr'd and Rich^d Wibird Arch^d Macpheadris and Joth Odiorne Esq^rs appointed for the Service above.

R. Waldron Cler Con

A Message to the Board by Mess^rs Gerrish & Atkinson with the following vote.

In The House of Represen^t May 6, 1727.

Whereas the allowance for His Hon^r the Lieu^t Gov^r and the Members of Council and assembly is not sufficient to defray the Charges necessary when they attend, Voted That His Hon^r the Lieu^t Gov^r be allowed twelve Shillings pr day and Each Member of the Council eight Shillings pr day and Each Member of the assem Six Shillings pr day while they shall attend and Sit in the General assembly and to be p'd out of the Publick Treasury from time to time from and after the first day of this Present Session, and that a Certificate from the Clerk of this House of Every Members Service with the Members receipt thereon Shall be a Sufficient warr^t and voucher therefor to the Treasurer

for the payment thereof. This to Continue for three years & no longer.

Ja$^{s}$ Jeffry Cler assem

In Coun Eo$^{d}$ die

Read and Concurred

R. Waldron Cler Con

Adj$^{d}$ til monday next 10 a'Clock A : M :

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Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem held pr adj$^{t}$ monday May 8$^{th}$ 1727.

Present.

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo: Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$ — R. Wibird, A M'pheadris } Esq$^{rs}$

A Message to the Board by Col$^{o}$ Davis w$^{th}$ a Vote for a Committe to Number and Count over the Bills to be burnt this Session w$^{ch}$ was Concurrd w$^{th}$

The Gent$^{n}$ of the House are { Cap$^{t}$ Fellows, M$^{r}$ Dennet, M$^{r}$ Atkinson

of the Board Mess$^{rs}$ { Wibird, Macphreadris, Odiorne

Adj$^{d}$ til tomorrow 9 a'Clock A : M :

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[P. 428.] Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem. pr adj$^{t}$ tuesday May 9$^{th}$ 1727.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo: Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$ — R Wibird, A Macpheadris, J Odiorne } Esq$^{rs}$

adj$^{d}$ til tomorrow 10 a Clock A : M :

Pro of N. Hamp^re^

Met according to adj^t^ Wednesday May 10^th^ 1727

Present

as Before.

Ordered that David Cargil Cyprian Jeffry Sam^l^ Tod, Sam^l^ Sherburne and John Wingate be a Committe to renew or perambulate the line between Barrington and Rochester and also the head line of rochester and that they make return of their doings therein upon oath as soon as possible and that the Charge be born by the Proprietors of Barrington Rochester the Batchelours & Coulcrain in Equal parts or proportion

R. Waldron Cler Con.

A Message to the Board by Col^o^ Davis w^th^ the following report & vote.

Pursuant to Vote of Gen^l^ assem. of May 4^th^ Ins^t^ appointing us a Committe for proportioning the Province rate of the Several Towns Parishes and Districts within this Province, We having considered the same are of opinion that in order to a more equal ascertaining the S^d^ Proportion that there be an Act of General Assembly requiring Every Town and District within the Province to bring into the General assembly at their Session in May next the number of ratable polls oxen Cows horses and Swine houses and lands Improved in Each Town and a valuation of the Income of the Trade w^th^in Each Town and that the Polls & Estates be assess'd according to the following Estimate.

Polls 16 years old & upw^d^ 100^d^ Income upon trade 1^d^ upon y^e^ p'^d^ The Trade to be sworn to If Complaint be made.

Offices 1^d^ upon the p'^d^ of their Income, Ditto on houses & lands Improved at 6 y^rs^ Income deemed to be y^e^ Value at 1^d^ on y^e^ p'^d^ Every ox 4 y^rs^ old at £4:— Cow at 3 y^rs^ old £2: 10 Horse Ditto £4: — Swine 1 y^r^ old £ —: 16.

[p. 429.] Sheep free for Encouragement

Indian and Negro Slaves ad valorem from 16 to 40 years of age all which is humbly Submited, pr

| | |
|---|---|
| Peter Weare | Mark Hunking |
| Jn° Gillman | Geo: Jaffrey |
| W. Fellows | R Wibird |
| Theo: Atkinson | A Macpheadris |

In The house of represent^t May 10^th^ 1727

Voted the above return be accepted w^th^ this amendment (viz) That the Single poll be rated at 60^d^ Insted of 100^d^ and that Each Town Parish and precinct within this Province be new proportioned every three years.

Jam Jeffry Cler assem

In Coun Eod die

Read and Concurred

R. Waldron Cler Con

Adj^d^ til tomorrow 9 a'Clock A: M:

---

Pro of N. Hamp^re^

At a Gen^l^ assem by adj^t^ thursday May 11^th^ 1727

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

| | | | |
|---|---|---|---|
| Mark Hunking | } Esq^rs^ | R. Wibird | } Esq^rs^ |
| Geo Jaffrey | | A Macpheadris | |
| Shad^a^ Walton | | Joth Odiorne | |

Adj^d^ til tomorrow 10 a'Clock A. M.

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Pro of N. Hamp^re^

Met according to adj^t^ fryday May 12^th^ 1727.

Present

Adj^t^ til tomorrow 9 a Clock A. M.

Pro of N. Hamp^re

At a Gen^l assem by adj^t
Saturday May 13^th 1727

Present
As Before.

The Committe appointed to Count over the mony to be burnt this Session reported the Several Sums they had received and from whom as follow

[P. 430.] From M^r Treas^r Jaffrey of the Tax mony £984: 17: 10

of Ditto w^ch he rec^d of Treas^r Penhallow's Exec^r £ 26: 2: 6

£1011: —: 4

From The Grand Committe of y^e £15,000 pr y^e hand of M^r Jaffrey £88: 14: 7 1-2

From y^e Committe for Exch^a old bills as follows

| | |
|---|---|
| (Viz) From Col^o Weare | £56: 17: – |
| Col^o Hunking | £15: 6: – |
| Geo: Jaffrey Esq^re | £97: 1: – |
| Rich^d Wibird Esq^re | £29: 5: – |
| Col^o Plaisted | £12: 19: 6 |
| | 211: 8: 6 |

May 13^th 1727

The foregoing report accepted by both houses and y^e Committe and persons are hereby discharged of y^e Sum before mention^d as respectively paid. The whole of the S^d Sums being Consumed to ashes.

Jam^s Jeffry Cler assem
R. Waldron Cler Con

A Message to the Board by Mess^rs Stevens & Jennis w^th a Vote That the Town of Lond^o Derry be taxed this year for the Province Tax the Sum of forty pounds and that the Treasurer Issue out his warr^ts accordingly.

Ja^s Jeffry Cler assem

May 13^th 1727.

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

Adj[d] til Wednesday next 10 a'Clock A. M.

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Pro of N. Hamp[re]

At a Gen[l] assem by adj[t]
wednesday May 16, 1727

Present

His Hon[r] John Wentworth Esq[re] L[t] Gov[r]

Mark Hunking, Geo Jaffrey, Shad[a] Walton } Esq[rs]

A M'pheadris, Jn[o] Frost, Joth Odiorne } Esq[rs]

R. Wibird Esq

A Message to the Board pr Mess[rs] Dennet & Sanburn w[th] a Vote That the Carriages and Wheels at y[e] fort be repair'd by him or them that will do it cheapest and [P. 431] that Col[o] Plaisted w[th] one of the Council be a Committee to let it out and that the Stone work be deferrd for the Present

May 17, 1727 Jam[s] Jeffrey Cler assem

In Coun Eod die

Read and Concurr'd.

R. Waldron Cler Con

Adjorn'd til tomorrow 10 a'Clock A. M.

---

Pro of N. Hamp[re]

At a Gen[l] assembly by adjournm[t]
thursday May 18[th] 1727.

His Hon[r] John Wentworth Esq[re] L[t] Gov[r]

Mark Hunking, Geo: Jaffrey, Shad[a] Walton } Esq[rs]

Rich[d] Wibird, A M'pheadris, Jn[o] Frost } Esq[rs]

Joth Odiorne Esq

A Message to the Board with a Vote to Discharge Maj[r] Gillman (of the Cypher alias Bills to Exch[a] old Broken Bills) of y[e] Sum of £46: 12: 3

May 18, 1727 James Jeffry Cler assem

In Coun Eodem die

Read and Concurr'd

R Waldron Cler Con

A Message to the Board by Mr Sanburn with a Vote for preparing an Act for a more Effectual Supply of the Fort wth powder which was prepared as at large may be seen by the tenour of the Said Bill.

A Message to the Board by Mr Atkinson & Jennis wth the following allowances

| | |
|---|---|
| To Benja Rust | £— : 13 : – |
| Benja Akerman | 10 : — : – |
| Stephn Greenleaf | 1 : 10 : – |
| Capt Hen: Sherburn | 3 : 1 : 4 |
| Richd Waldron Cler | 75 : — : – |
| Jno Newmarch | 3 : 7 : 4 |
| Benja Rust | 16 : — : – |
| Saml & Jno Shackford | — : 17 : – |

May 18th 1727. Jams Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con.

Adjd til tomorrow 10 a'Clock A. M.

---

Pro of N. Hampre

At a Genl assem by adjt fryday May 19th 1727.

Present

His Honr John Wentworth Esqre Lt Govr

Mark Hunking, Geo: Jaffrey, Shada Walton } Esqrs

R. Wibird, A Mcpheadris, Jno Frost } Esqrs

Joth Odiorne Esqr

[p. 432.] A Message to the Board pr Mr Dennet wth a Vote for Signing nine hundred pounds of the mony last Imprinted and putting it into the Treasury for the paymt of the allowances made by the General Assembly.

May 19th 1727. Jams Jeffry Cler assem

In Coun$^{l}$ Eod die

Read and Concurred.

R. Waldron Cler Con

A Message to the Board by Mess$^{rs}$ Fellows & Stevens w$^{th}$ a Vote That M$^{r}$ Treasu$^{r}$ Jaffrey receive from the Exec$^{r}$ of the late M$^{r}$ Treas$^{r}$ Penhallow the Ballance of his acc$^{ts}$ and also two hund$^{d}$ forty Seven pounds 9s 3-4 mony that was put into the hands of the Said late Treasurer for Exch$^{a}$ old Bills

May 19$^{th}$ 1727 Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

A Message to the House by the Cler w$^{th}$ a Vote w$^{ch}$ was concurrd with & is as follows

In Coun May 19$^{th}$ 1727.

Voted That Geo Jaffrey and Rich$^{d}$ Wibird Esq$^{re}$ be a Comitte from the Board to Joyn w$^{th}$ Such as may be Chosen by the House to thank M$^{r}$ Agent Newman In behalf of the General Assembly for his favour and Service hitherto done for this Province and to answer his late letters and give him any further Instructions & directions that may be necessary relating to the Settlement of the Province line and further to desire him to make all possible remonstrance ag$^{st}$ having any recommend$^{a}$ or direction Sent to this Governmen$^{t}$ to Settle a Salary on a Command$^{r}$ in Chief if any such design Should be on foot. This Province being ever cramp'd by the Ind$^{n}$ war being all frontier, and yet ever cheerfull in Making an Hon$^{ble}$ allowance for the Support of His Maj$^{ties}$ Goverment here even much beyond Its capacity and the Same good Inclinations & loyal disposition Stil Continuing In all His Maj$^{ties}$ Dutifull Subjects here, and that the Treas$^{r}$ be directed to procure a bill of Exch$^{a}$ of fifty pounds Sterling for the S'd agent to enable to pass thro the further busyness of this Province.

R. Waldron Cler Con

[P. 433.] In The House of Represent

The above Vote read and Concurr'd and Capt Wm Fellows and Mr Atkinson appointed of the Comitte of this House to Joyn wth ye Gentn above for ye ends aforesaid.

Theo Atkinson Cler pro Tempo

Adjd til tomorrow 10 a'Clock A. M.

---

Pro: N. Hampre

At a Genl assem by adjt
Saturday May 20th 1727.

Present

His Honr John Wentworth Esqre Lt Govr

Mark Hunking, Geo Jaffrey, Shada Walton } Esqrs
R. Wibird, A Macpheadris, Jno Frost } Esqrs

Joth Odiorne Esqre

A Message to the Board by Messrs Fellows & Jennis wth ye following allowances (Viz)

| | |
|---|---|
| To Benja Rust | £ 6: 4: 9 |
| Benja Gambling Esqre | £15: —: – |
| Saml Sherburn, Smith | £ 2: 18: 3 |
| Jno Cut | £—: 10: – |
| Jno Griffiths | £ 1: 5: – |

Pass'd in the House
May 20th 1727.

Jams Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

A Message to the Board by Messrs Wiggin & Gilman wth a Vote for preparing a Bill for Striking two thousd pounds wch was Concurr'd wth and a Bill order'd to be prepar'd forthwith.

A Message to the House by the Cler. wth a Vote for a

Committe to prepare for Gov$^{r}$ Shutes reception w$^{ch}$ was Concurr'd. The Gent$^{n}$ appointed by the Board are

Mess$^{rs}$ { Jaffrey & Wibird } & of the House Mess$^{rs}$ { Fellows & Atkinson }

A Message to the House by the Cler w$^{th}$ a Vote appointing M$^{r}$ Atkinson receiver of y$^{e}$ powd$^{r}$ Duty w$^{ch}$ was Concurrd with.

A Message to the Board by Mess$^{rs}$ Stevens & Jennis with the following Vote

[p. 434.] Voted In the House of Represent

May 20$^{th}$ 1727

Whereas His Hon$^{r}$ the Lieu$^{t}$ Gov$^{r}$ hath had the whole Goverment Stil Continued upon him as Command$^{r}$ In Chief Voted That he be presented with & paid out of the Treasury the Sum of one hundred pounds as Command$^{r}$ In Chief and for his Extraordinary Services done the good people and Inhabitants of this Province that he be presented w$^{th}$ and paid out of the treasury the Sum of forty pounds more.

Jam$^{s}$ Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd.

Rich$^{d}$ Waldron Cler Con

A Message to the Board by M$^{r}$ Fellows w$^{th}$ M$^{r}$ Treas$^{r}$ Jaffrys Gen. acc$^{t}$ Curr$^{t}$ w$^{th}$ the auditors report & represen$^{t}$ vote of allowance thereon Except the articles of Commission for receiving & paying mony w$^{ch}$ vote was concurr'd w$^{th}$.

The House of Represent being sent for attended at the Board when & where the Bills whose titles are as follows.

(Viz) 1 An Act for Impressing two thousand pounds bills of Credit on the Province of New Hamp$^{re}$

An Act for the Supplying more Effectually Fort William & Mary with Powder.

Being Sign'd & Seald in their Presence The Gen$^{l}$ assem was

Prorogued
til tuesday 20th June
Next.
Further Prorogued til
20th July next

---

Pro: of N. Hamp

At a Special Session of the Genl assem on tuesday 27: June 1727.

Present.

His Honr John Wentworth Esqre Lt Govr

Mark Hunking, Geo Jaffrey, Shada Walton } Esqre

Richd Wibird, A Mcpheadris, Joth Odiorne } Esqrs

A Message to the House by the Clerk to require their attenda at the Coun Board, the Speaker and House came up accordingly.

[p. 435.] Then His Honr acquainted them of the occasion of his calling them together (viz) That the Lieut Govr of the Massa was going Eastward to treat wth Two Tribes of Indians that were not Included in ye pacification made at Falmo last year and that he esteem'd it of the last Consequence for this Goverment to Joyn in the affair. Then the Speakr and House wthdrew.

A Message to the Board by Messrs Tibbits and Sanburn, with a Vote that Josiah Ned a Cape Indian and Souldier in the pay of this Goverment in ye Canada Expedition have the Gun deliver'd him that was then Given him.

Jams Jeffry Cler assem

June 27, 1727.

In Coun Eod die

Read and Concurr'd Richd Waldron Cler Con

By The same Message a Vote desiring His Honr to Commissionate one or More Meet Persons to Joyn wth the Massa In behalf of this Governt In treating wth ye Indians &ca

w^ch was return'd by Geo Jaffrey & R. Wibird Esq^rs to be reconsidered.

Adj^d til tomorrow 10 a'Clock A. M.

---

Pro of N. Hamp^re

At a Gen^l assem by adj^t Wednesday June 28^th 1727.

Present.

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

R. Wibird, A Mcpheadris, Joth Odiorne } Esq^rs

A Message to the Board by Mess^rs Wiggin Dennet Stevens and Sanburn with the following votes.

In The House of represen^t June 28^th 1727.

Voted That It is our advice that His Hon^r take two of y^e Coun. and one of this House as shall be by them appointed w^th him to Casco Bay or Elsewhere to ratifie and make any Peace he Shall think fit and that the Treasurers Supply him with what mony or necessarys he Shall think fit for that affair and that he make a present to y^e Ind^ns of ab^t £25 and that His Hon^r be desired to be as frugal as may be Consistant w^th the Hon^r of the Goverment in this affair. Jam^s Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

[P. 436.] M^r Atkinson was appointed by the House and Mess^rs Jaffrey Walton and Wibird by the Board to wait on His Hon^r Eastw^d.

Jam^s Jeffry Cler assem

R. Waldron Cler Con.

In The House of Represen^t June 28, 1727

Voted That There be two hundred pounds of the money In the Committes hands Sign'd off and put into the Treas-

ury for defraying the present charges in going to Casco to meet the Indians.

Jam$^{s}$ Jeffrey Cler: assem

In Coun Eod die

Read and Concurred

R. Waldron Cler Con

Prorogation
Continued til 20$^{th}$ July
Next.

---

Further Prorogued til
20$^{th}$ August Next
Further til 30$^{th}$ August Instant.

---

*Of the Treaty at Casco*, 1727.

"Prov, of New Hanpshire.

"Tuesday, June the 27th, 1727. The House met by an especial order from the Liu't Gov'r, &c.

A message from the Board that it was his Hon'rs pleasure yt the house attend him at the Board. The House went up, and the Liu't Governor made a speech which was: yt he had rec'd a letter from Liu't Gov'r Dumer that came from the three Indian tribes that had not come into the former peace made with the Penobscot Tribe: and that he intended to meet them ye 10th July at Falmouth and desired his company: a copy of the Letter and Mr. Dumer's Letter was sent down.

Eod'm die. In the House of Representatives.

The question being put whether this Goverment shall send to ratifie the Peace with those three tribes that hath now sent and are waiting at Tirionet, it passed in the affirmative.

Voted, that this Province send to Casco to ratify the peace with the three Tribes of Indians now on Kennebeck river in the manner as don with the Penobscut."

Wednesday, June the 28th. In the House of Representatives. "Voted, that his Hon'r the Liu't Governor be desired to commissionate one pson or more, as his hon'r shall think convenient, to goe to Casco to treat with the Indians there, with power to ratifie the Peace already made with the Penobscut tribe and to make peace with any other Tribe with whom we are at warr.

Eod'm die. A message was sent down with the above voat by Geo Jaffrey, Esq'r to be reconsidered."

"An addition to the Governor's Speech was sent down, viz.

"Gent. The vote you sent up desiring me to appoint Comiss'rs

to represent this Goverment for the makeing peace with the three Tribes now waiting at the Eastward for our answer, I can by no means adhere to: It being inconsistent with the hon'r of this his Maj'ties Goverm't so to do; therefore I advise you to reconsider your vote: We have now an op'tunity to make an hon'ble and lasting peace with those Indians that have so offten laid wast our dwelling places and cruelly murdered many of our friends and neighbors: which I think cannot be forgotten by us: more especially you that live on our frontiers. It lies entirely with you Gent. of the house of Represent. this Board being all of opinion that it's highly reasonable and necessary that wee imbrace the season. Let us prefer ye peace, quiet, good settlement of our country and lives of our friends before money; for I find there the matter sticks.

J. WENTWORTH."

"Eod'm die. In the House of Representatives.

Voted, that it is our advice that his Hon'r take two of the Councill and one of the House (as shall be by them appointed) with him to Casco Bay or elsewhere; there to ratify and make any peace he shall think fit: and that the Treasurer supply him with what money or necessaries he shall think fit for that affaire, and that he make a present to Indians of 20*l.* and that his Hon'r be desired to be as frugall as may be consistent with the hon'r of the Goverm't in this affaire.

Eod'm die. A message from the Board p. Geo. Jaffrey, Esq'r that the above vote was approved off: only that the psent to the Indians of 20*l.* was too little: In the House it was amended and made about 25*l.* and sent up by the same messenger.

Voted, that Mr. Theo. Atkinson be appointed from this House to goe with his Hon'r the Li'ut Governor to Casco or elsewhere to ratify and make peace with the Indians.

Eod'm die. A message from the Board yt ye above voates was concur'd and yt Sha. Walton, Geo. Jaffrey and R. Wibird, Esqr's were appointed at ye Board.

Eod'm die. In the House.

Voted, that there be two hundred pounds of the money in the Committees hands now signd off and put into the Treasury for the defraying the psent charges in going to Casco to meet the Indians.

A messa. from the Board p. Sha. Walton, arm. and the Clerk that the above voat was concurd with."

*Assembly Records.*

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## *Indian Articles of Peace, July* 25, 1727.

[From the original on Parchment.]

*By the Parties to these Articles.*

The following Article is unanimously and reciprocally agreed upon for the more effectually preserving The Peace, that if any Hostility shall be Committed or offred to be committed by any Indians on any of the English subjects, The Tribes who have entred into and Ratified the Peace Shall furnish and Supply ffifty

Indians with a Captain of their own and the English Two hundred and fifty and So in Proportion, A Greater or Lesser Number as Occasion shall Require. The forces to be paid and subsisted by English, and under ye Conduct of such a General Officer as the English Governour may judge proper — to pursue such refractory Indians, Either by Sea or Land and Compell them to live peaceably with their Neighbours. And if any Other Tribes of Indians shall make Warr upon any of the Tribes now Entred into the Peace, In Such Case the English shall assist Them at their own Cost and Charge withe the Like Proportion of men as may be Necessary.

DONE at the Conference at Casco bay, This Twenty-fifth Day of July in the Thirteenth Year of the Reigne of Our Sovereigne Lord King George Annoq. Domini 1727.

J. WENTWORTH.

Nathl Paine.
Thomas Berry
John Quincy
Samuel Willard
Joseph White
Stepn. Eastwicke
Joseph Bane
John Alden
Peter Weare
Amos [illegible]
Johnson Harmon
Edward Shove
Jer. Moulton
Richard Bourne
Stephen Minot
Job Lewis
John Smith
Tho. Smith
Joseph Heath
Henry Phillips
Jno. Fitch
Cyprian Jeffry
Sam. Jordan
John Gyles

*Arresagontacook.*

Accomowet x his mark [L. S.]
Bauguaret x Nathaniel [L. S.]
Scaunwass [L. S.]
Paucaunumba x met: [L. S.]
Saroom x for Amresscoggin [L. S.]
Joseph x xadewwando: son nia [L. S.]
Muguaandook x [L. S.]
Sabatists x [L. S.]

*Wawcenock.*

Wassylssonon x bonett his mark [L. S.]
Sawerramett x [L. S.]
Wawoora x of Neridgwock [L. S.]
John x Hegon [L. S.]
Erremaumett x Penobscut [L. S.]
Namayeen x [L. S.]
Moxus x of Neridgwook [L. S.]
Neridgwook x [L. S.]
Moress x [L. S.]
[L. S.]

*Neridgwook.*

Saossack x 2d Chieff [L. S.]
Conuwass x [L. S.]
Ogexando x [L. S.]
Erremenissa x Jno. Hegonston
Naugus x cauwel alias Capt. John [L. S.]
Madocawando x [L. S.]
Edauweno x [L. S.]
[L. S.]

*Penobscut.*

Bauterramew x Secretary [L. S.]
Augusteen x [L. S.]
Victor x [L. S.]
Umbrooses x [L. S.]
Pauterramett x [L. S.]
Espegueret x [L. S.]
Squadook x alias Luce [L. S.]
Ayere x mett [L. S.]
Stonesseress x [L. S.]
Transsuack x Savern [L. S.]
Transwacksuce x Juds Soroustou [L. S.]
Adawaukenht x [L. S.]
Acteon x [L. S.]
Toman x [L. S.]
Wammo x wett [L. S.]
Saguaroom x Loron [L. S.]
Cezar x Moxus [L. S.]
Joseph x [L. S.]
Pequesserss x Swan [L. S.]
Henquid x [L. S.] Arexes x [L. S.]

The within written Articles Stipulated and agreed on, as within mentioned, by the within named delegates, (Viz.) Saguaram, alias Loron, Arexes, Francois Xavier and Maganumber, being distinctly read over and faithfully interpreted to us yesterday at a Public Conference, and by us well understood and having fully and maturely considered the same, We underwritten, (Viz.) Moxus chieff Sachem and Sagamore of the Neridgwock Tribe and Soossauck, 2d chieff of said Tribe, Together with the underwritten Chieffs and others of the said Tribe, for ourselves and in behalf of the Other Tribes, Auyammuet Captain and Counsellour of the Arresagontacook Tribe, in his Brother's absence, together with the underwritten Chieffs and others of the said Tribe, for ourselves and in behalf of the other tribes, Nemmagen and Watzarraboonett, Captains and Counsellours Two of the Chieffs of the Wawenock Tribes delegated by them Accompanied by Awemmonett the Chief Sachem's Son, together with the underwritten Chiefs others of the said Tribe for ourselves and in behalf of the other Tribes.

Do by these presents in a Publick and solemn manner, (The Penobscut Tribe being present) for our several Tribes Respectively Approve Consent to and Ratifie all and singular the said Articles; and all and each of them to all intents and purposes shall be and abide good, valid and binding upon us and our heirs and successors respectively for ever.

Done at Falmouth, in Casco bay this Twenty-first day of July in the Thirteenth year of ye reigne of our Rightfull Sovereign King George, Annoq. Domini one thousand seven hundred and twenty seven.

*Wawenock Tribe.*

Wooftsaurraboonet x his mark (L. S.)
Nemadgeen x his mark (L. S.)
Sauwarramett x his mark (L. S.)
Waherramet x his mark (L. S.)
Paleppamet x his mark (L. S.)
Quinooise x his mark (L. S.)

*Arresagontacook Tribe.*

Auyomowet x his mark (L. S.)
Lorin x his mark (L. S.)
Saubabizt x his mark (L. S.)
Magauwondoeek x (L. S.)
Squaduke x (L. S.)
Sauroom x (L. S.)
Showasseen x (L. S.)
Sussack x Son of Beauando (L. S.)
Parresongok x his mark (L. S.)
Backpaunumbaumett x his mark (L. S.)
Stzabaucaum x his mark (L. S.)
Scaunwoss niæ (L. S.)
Baugualiaret x Nathaniel (L. S.)
Errenanessek x (L. S.)
Praussoway x (L. S.)

*Neridgwock.*

Moxus x Chieff (L. S.)
Nagiscoig x alias Capt. John (L. S.)
Pum x son to Tenamaugus (L. S.)
Edauwena x (L. S.)
Mendowet x (L. S.)
Soopausuck x 2d Chieff (L. S.)
Suequantoemoug x (L. S.)
Wawoorna x (L. S.)
Madockawando x (L. S.)
Wawwheret x (L. S.)

Signed sealed and delivered in presence of us—

Stepn. Estwicke
Edw. Shove
Jer. Moulton
Jno. Fitch
Stephen Minot
Wm. Brattle
Thomas Berry
John Pitts
John Quincy
Job Lewis
John Smith
Cyprian Jeffry
Joseph Heath
Steph. Greenleaf
Peter Weare
John Gyles

Theodore Atkinson, *Cler. Con.*

---

Pro of N. Hamp^re

At a Gen^l assem by prorog^a
August 30^th 1727

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

Mark Hunking
Geo: Jaffrey
Shad^a Walton
} Esq^rs

R. Wibird
A Macpheadris
Joth Odiorne
} Esq^rs

A Message to the House by the Cler Con w^th a Vote for an Address of Condolence & Congratulation to His Maj^tie King George 2^d & for a Committe to draught the Same viz Mess^rs Jaffrey and Wibird from the Board.

Aug^st 30^th 1727 R. Waldron Cler Con

Eod die

Concurrd and Mess^rs Fellows and Atkinson appointed by the House for the Service above.

J^s Jeffry Cler assem

The Committe Prepared and presented a Draught of an address w^ch^ was accepted a Copy whereof is on file

A Message to the Board by And^w^ Wiggin Esq^re^ w^th^ a Vote That Benj^a^ Follet keep a publick House In his dwelling house in Streatham for one year.

Aug^st^ 30^th^ 1727. J^s^ Jeffry Cler assem

In Coun Eod die

Concurrd. R. Waldron Cler Con.

[P. 437.] A Message to the Board w^th^ a Vote That M^r^ Treas^r^ receive from Maj^r^ Gilman and M^r^ Atkinson the Sum they rec^d^ for the old Prison.

Ja^s^ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

Prorogued til
14 Nov^r^ 1727.

---

Pro: of N. Hamp^re^

At a Gen^l^ assem by Prorogation
tuesday 9^br^ 14: 1727.

Present,

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey, Shad^a^ Walton } Esq^rs^

R. Wibird, Jn^o^ Frost, Joth Odiorne } Esq^rs^

Prorogued
til 21^st^ Instant.

---

Pro of N. Hamp^r^

At a Gen^l^ assem. by Prorog^a^
tuesday 21^st^ Nov^r^ 1727.

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey } Esq^rs^

Shad^a^ Walton, Rich^d^ Wibird } Esq^rs^

A Message to the House to require their attendance at

the Council Board The Speaker and House came up accordingly and Then His Hon$^{r}$ was Pleased to Dissolve the General assem. and accordingly they were

Dissolved.

---

In Coun.

Ordered That The Clerk forth$^{wth}$ Prepare a Precept In the name of His Maj$^{tie}$ King George the Second for calling a New assem to meet and Sit on Wednesday the thirteenth day of Dec$^{r}$ next at Portsm$^{o}$ & So de die in diem &c

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[p. 438.] Pro N. Hamp$^{re}$

At a General assembly held at Portsmouth on Wednesday Dec$^{r}$ 13$^{th}$ being the first Session 1727

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esq$^{re}$

A Mc pheadris, Jn$^{o}$ Frost, Joth Odiorne } Esq$^{rs}$

The High Sherriff made return of the Precept directed to him for calling a New assem w$^{th}$ the Names of the Persons Elected & Deputed to Serve in the Said assem Endorsed on the Said Precept which are as follow

Cap$^{t}$ Geo Walker, M$^{r}$ Eph$^{a}$ Dennet, Benj$^{a}$ Gambling } for Portsm$^{o}$

Cap$^{t}$ Josh$^{a}$ Wingate, M$^{r}$ Jn$^{o}$ Sanburne } Hampton

Nath$^{l}$ Weare Esq$^{re}$ Hampton Falls.

Sam$^{l}$ Thing Esq$^{re}$, M$^{r}$ Bart$^{w}$ Thing } Exeter

Cap$^{t}$ Sam$^{l}$ Tibbits, Cap$^{t}$ Paul Gerrish, M$^{r}$ Jn$^{o}$ Smith } Dover

M$^{r}$ Theo Atkinson, M$^{r}$ Rich$^{d}$ Jennis } N. Castle & Rye

Capt Jno Knight, Newington
Capt Andw Wiggin, Streathn
Mr Eben Stevens, Kingsto
Jam. McKeen Esqre Londo Derry

Messrs Jaffrey Frost & Cler Con were sent down to administer the oaths required by Act of Parliament to be taken by the persons above mention'd to qualifie them for acting as an assembly which was done accordingly and they were directed to proceed to the Choice of a Speakr.

A Message to the Board by Messrs Atkinson & Sanburne to acquaint His Honr that the House had chosen Nathl Weare Esqre for their Speakr which His Honr was pleased to approve.

A Message to the House by the Cler: to require their attenda at the Board. The Speakr and House came up accordingly. Then His Honr made a Speech of which The Speakr obtained a Copy & He and the House withdrew. the Speech is as follows.

[P. 439.] *Gentn.*

You are all Sensible that this assembly is call'd by the Precept of His Most sacred Majestie King George the second the Gentle administration of whose Governt we hope to partake of in this part of His Dominions,

And as this Province has on all occasions distinguish'd themselves in their loyalty and obedience So I persuade myself you will now take all opportunities and Esteem it your duty to encourage obedience to His Majestie instil Principles of unfeign'd loyalty and affection to His Person and to His Illustrious Family in Particular and to His Goverment in General in the Several Towns you respectively represent.

You will at all times Chearfully receive His royal Commands and wth equal Pleasure enter on ye Execution of them which will Farther reccommend you to His Majties most gracious favour and protection.

The Publick Concerns you will give the needfull dispatches to and the making suitable Provision for the support of this His Majties Governt with what I have before recommended will fully answer my Expectations of you and deserve my hearty thanks.

By lettrs from England I have the Confirmation of His Excellency Wm Burnet Esqre being appointed by His Majestie Govr of this His Majties Province of New Hampre &ca He is a Gentn of known worth and has Justly obtain'd a universal regard from all that had ye Honr to be undr his Goverment and will make us a

happy People when he arrives here if we are not wanting in paying that respect which his Charicter So Justly deserves.

J. WENTWORTH.

Adj[d] til Tomorrow 10 aClock A. M.

---

Pro: of N. Hamp[re]

At a Gen[l] assem held at Portsm[o] by adj[t] Dec[r] 14, 1727.

Present

His Hon[r] John Wentworth Esq[re] L[t] Gov[r]

Geo Jaffrey, Shad[a] Walton, R. Wibird } Esq[rs]

A M[c]pheadris, Jn[o] Frost, Joth Odiorne } Esq[rs]

[P. 440.] A Message to the House w[th] a Vote of Coun for a Committe to prepare a bill for an additional Clause to y[e] Act ab[t] Marriages births and burials Sent back nonconcurr'd.

A Message to the House by the Cler w[th] the Petition of Edw[d] Hall and others praying for a Parish in the North part of Exeter for the reasons Set forth and a Vote of Coun thereon w[ch] was return'd pr Mess[rs] Jennis & Sanburn Concurr'd w[th] the Petition is on file and the vote as follows.

In Coun Dec[r] 14[th] 1727.

Voted That the prayer of the Petition be Granted and that the Petitioners have liberty to bring in a bill accordingly and that the name of the Parish be Newmark[t]

R. Waldron Cler Con

In The House of Represen[t]

Eod die

Read and Concurred.

J Jeffry Cler assem.

Adj[d] til tomorrow 10 a'clock A. M.

Pro : of N. Hamp^re

At a Gen^l assem by adj^t fryday
Dec^r 15^th 1727.

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

| | | | |
|---|---|---|---|
| Geo Jaffrey | | A Macpheadris | |
| Shad^a Walton | Esq^rs | Jn° Frost | Esq^rs |
| R. Wibird | | Joth Odiorne | |

A Message to the Board pr Mess^rs Wiggin Walker and Dennet with a vote for a triennial Choice of assem men To which his Hon^r answered by Mess^rs Jaffrey and that the S^d Vote Should be Considered tomorrow.

Adj^d til tomorrow 10 a'clock A. M.

---

Pro of N. Hamp^re

At a Gen^l assembly by adj^t
Saturday Dec^r 16^th 1727.

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

| | | | |
|---|---|---|---|
| Geo Jaffrey | | A Macpheadris | |
| Shad^a Walton | Esq^rs | Jn° Frost | Esq^rs |
| Rich^d Wibird | | Joth Odiorne | |

[P. 441.] A Message to the House by Mess^rs Jaffrey & Frost w^th the Vote of the House Sent up yesterday for a triennial choice of assem men and to acquaint them that the Lieut Gov^r was disposed to gratifie them in regard to that matter so far as he might with Safety and to desire them to consider how he might oblige them since there was an act to that purpose already pass'd w^th a Saving Clause and Sent home for the royal approbation.

Adj^d til tuesday next at noon.

Pro N. Hamp^re

At a Gen^l assem by adj^t
tuesday Dec^r 19^th 1727.

Present

His Hon^r John Wentworth Esq^re L^t Gov^r

| | | | |
|---|---|---|---|
| Geo Jaffrey<br>Rich^d Wibird<br>A Macpheadris | Esq^rs | Jn^o Frost<br>Joth Odiorne<br>Sha Walton | Esq^rs |

A Message to the Board by M^r Atkinson to desire to be Inform'd what M^r agent Newman had done in regard to the triennial act Sent home for y^e Royal allowance His Hon^r answered that he would Examine His lett^rs and give the House an answer tomorrow.

By The Same Message the representatives answ^r to the L^t Gov^rs Speech as follows—

*May It Please Yor Honr*

You was Pleased to remind us that this assem. is Calld by the Precept of his Most Sacred Majesty King George the Second, and have also Commended this Province for their former Loyalty and obedience and that you recommend the same principally to us. We desire to return to Almighty God the Praises due to his Name by whom It is that Kings reign that he hath been pleased so graciously to Bless y^e English Nation and protestant Interest as to Set a Prince of Such royal Endowm^ts as King George the Second is upon the British Throne, And we take great Pleasure in Assuring ourselves that we by the Good providence of God shall be Sharers in So great a blessing as to be under the Goverment of so noble a Prince and Shall at all times manifest our loyalty and obedience, to his royal Comands as good Subjects and Depend upon being protected by him.

[P. 442.] As for the affairs of this Sessions we Shall make all the Dispatches the Concerns thereof will admit of, as for the Support of the Goverment of this Province we have always Exerted ourselves to the utmost of our ability and considering the Extream Scarcity of mony and the many difficultys we labour und^r we hope we Shall retain our former Character.

Your Hon^r was pleased to Inform us That His Excellency William Burnet Esq^re is Expected to be our Governour, and if by the Providence of God he shall arrive here w^th a Commission to be Governour We Shall pay him all regards due to a Command^r In chief.

Nath^l Weare Speak^r

Adj^d til tomorrow 10 a'Clock A. M.

Pro of N. Hamp

At a Gen$^{l}$ assem by adj$^{t}$ Wednesday Dec$^{r}$ 20$^{th}$ 1727

Present

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esq$^{rs}$ — Arch Macpheadris, Joth Odiorne } Esq$^{rs}$

A Message to the Board in writing pr Mess$^{rs}$ Sanburn and Thing being the opinion of the House in relation to the Passing an Act for a triennial Choice of assem men w$^{ch}$ was returned pr Mess$^{rs}$ Jaffrey and Wibird for further consideration who were directed to Signifie to the House that the Board would also Consider further of their desire.

Adj$^{d}$ til tomorrow 10 a'Clock A. M.

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Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assem by adj$^{t}$ thursday Dec$^{r}$ 21$^{st}$ 1727.

Present

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton, R. Wibird } Esq$^{rs}$ — A Macpheadris, Jn$^{o}$ Frost, Joth Odiorne } Esq$^{rs}$

A Message to the Board w$^{th}$ a Vote of the House reconsidered and Corrected In relation to a triennial Choice of assembly men w$^{ch}$ is as follows

[P. 443.] Whereas It is the universal and Earnest desire of His Majes$^{tics}$ good Subjects within This Province to have a triennial choice of assem men which is in itself most reasonable and not onely consonant to the use and Custom of Great Britain but in Effect a complyance w$^{th}$ His late Maj$^{ties}$ royal Mind who has in Express words by Gov$^{r}$ Shutes Commission Comanded that the laws Statues and ordinances of this Province be not repugnant to but as near as may be to the laws and Statues of the Kingdom of

Great Britain Whereby the Constitution and Statues of the S$^{d}$ Kingdom no Parliament can continue and be longer than three years Therefore—Voted That there be an act drawn up that no assem or lower house of represent of this Province whatsoever shall have any Continuance longer than for three years onely at the furthest to be accounted from the day on which by the writ they are appointed to meet: and that this assembly shall cease on the thirteenth day of Dec$^{r}$ 1730 unless the Command$^{r}$ In Chief for the time being think fit to Dissolve it sooner and that there Shall be fifteen days at least between the date of the writ for Electing them and the day of their being chosen and that y$^{e}$ Notifications for calling the meetings for the Several Choices in Each respective Town and precinct that a representative is to be chosen in Stand up two Publick days at least before the day of Election of Such represent unless it be upon Extraordinary Emergencies.

Dec$^{r}$ 15, 1727. James Jeffry Cler Assem.

In Coun Eod die

The above vote and the Sundry Messages relating thereto having been duly considered Voted a Concurrence there$^{wth}$ and Geo Jaffrey Shad$^{a}$ Walton and Jn$^{o}$ Frost Esq$^{rs}$ appointed to prepare the Bill according.

Pass'd Nemine Contradicente

R. Waldron Cler Con

In The House Eod die

Mess$^{rs}$ Gambling Wiggin & Dennet appointed for the Service above.

Jam$^{s}$ Jeffry Cler assem

Adj$^{d}$ till tomorrow 10 a'Clock A. M.

[P. 444.] Pro: of N. Hamp^re

At a Gen^l assembly at Portsm^o by adjournment fryday Dec^r 22^d 1727

Present

His Hon^r Jn^o Wentworth Esq^re Lieut Gov^r

Geo Jaffrey Shad^a Walton, Rich^d Wibird, Arch^d Macpheadris, John Frost, Joth Odiorne Esq^rs

A Message to the Board by Mess^rs Tibbits and Thing w^th a Vote ab^t Marriages births and burials which was rejected & sent back

A Message to the Board by M^r M^cKeen with the following Vote (Entered in to morrows minutes.)

Adjourn'd til tomorrow 10 a'Clock A. M.

---

Pro of N. Hamp^re

At a Gen^l assem. held at Portsm^o by adjournment Saturday Dec^r 23^d 1727.

Present.

His Hon^r John Wentworth Esq L^t Gov^r

Geo Jaffrey, Shad^a Walton, Rich^d Wibird } Esq^rs

A M^cpheadris, Jn^o Frost, Joth Odiorne } Esq^rs

A Message to the Board by Mess^rs Winget & Knight with the following Vote.

In The House of Represen^t

Dec^r 22^d 1727.

Voted That Benj^a Gambling Esq and M^r Eph^a Dennet for the Town of Portsm^o Sam^l Thing Esq and M^r Barth^w Thing for the Town of Exeter, M^r Speaker Weare and Cap^t Josh^a Winget for the Town of Hampton be a Committe from this House to joyn with Such as Shall be appointed by the upper House to go to the Trustees that are in Each of the respective Towns abovesaid that had part of the five thousand three hundred and Eighty four pounds new bills for Exchanging the old Cypher bills, and Examine what has been brot into the assembly and burnt, and to see and tell over

what they and each of them have in their hands and make return to the assembly as soon as conveniently [p. 445.] they can and also that the Plates that are in the hands of Col° John Plaisted be now put into the hands of Benj^a^ Gambling Esq. and that the Said Gambling and Dennet are hereby directed to take said Plates.

Jam Jeffry Cler assem

In Coun Dec^r^ 23^d^

Read and Concurr'd and the Examination of the Trustees as above left to the Gent^n^ above mentioned.

R. Waldron Cler Con

James M^c^Keen Esq^re^ brot up the following Vote

In The House of Represen^t^

Dec^r^ 23^d^ 1731–[27?]

Ordered upon the Motion of James M^c^ Keen Esq and Considering the Infancy of the Town of London Derry Provided they keep two Schools for writing and reading in Said Town that they be Exempted from the Penaltys in the laws of this Province relating to Gramar Schools for one year now next ensuing and to Commence from their annual meeting in March next and all Courts that have authority in that affair are to take notice of this order and conform according to it. Jam^s^ Jeffry Cler assem

In Coun Eodem die

Read and Concurr'd with this amendment namely that the Town of London Derry be Exempt two years instead of one and that the Said Town be obliged to maintain two writing and Reading Schools at least in the mean time.

R Waldron Cler Con

In the House of Represen^t^ Eod die.

Read and Concurr'd with the amendmen^t^

Jam Jeffry Cler assem.

Adjourned

Til tuesday the second January

next At noon.

[p. 446.] Pro N. Hamp^re

At a General assembly held at Portsmouth by adj^t Tuesday Jan^ry 2^d 1727.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Rich^d Wibird } Esq^rs
John Frost, Joth Odiorne, A Mcpheadris } Esq^rs

Adjourn'd til tomorrow 10 a'Clock A. M.

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Pro of N. Hamp^re

At a General Assembly held at Portsmouth by adjournm^t Wednesday Jan^ry 3^d 1727–8.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs
Rich^d Wibird, Arch^d M^cpheadris, Joth Odiorne } Esq^rs

Jn^o Frost Esq

A Message to the Board by Mess^rs Dennet & Sanburn with a Vote of the House for repealing several Clauses in Several laws relating to appeals to the Governour and Council which was read and non Concurr'd nemine Contradicente, and sent down by Geo Jaffrey and Shadrach Walton Esq^rs together with the Governours Instructions & orders to read one paragraph of the same relating to the Court of appeals.

Adj^d til tomorrow 10 a'Clock A. M.

Pro: N. Hamp^re

At a Gen^l assembly held at Portsm^o by adjournments Thursday Jan^ry 4^th 1727, 8.

Present,

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, A M^cpheadris, Jn^o Frost, Joth Odiorne } Esq^rs

A Message to the House by M^r Frost w^th a Vote for Surveying Winnipishoky Pond & y^e fresh rivers &c^a

Adj^d til tomorrow 10 a Clock A. M.

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[P. 447.] Pro of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adjournment fryday Jan^ry 5^th 1727, 8

Present,

His Hon^r John Wentworth Esq^re L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Arch^d Macpheadris, John Frost } Esq^rs

Joth Odiorne Esq

A Message to the Board by M^r Atkinson with the Vote of Council Sent down yesterday relating to Winnipishoky Pond nonconcurr'd And by Cap^t Winget the following Vote,

In The House of Represen^t Jan^ry 5^th, 1727, 8

Voted that Andrew Wiggin Esq and Mr Theo^re Atkinson be a Comitte of this House to Joyn with a Committe of the upper house to Examine the accounts bro't in this Session and make report thereon to the assem for approbation.

Jam^s Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Capt Wibird and Capt Mcpheadris appointed for the Service above.

R. Waldron Cler Con

Adjd til tomorrow 10 aClock A. M.

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Pro of N. Hampre

At a Genl assembly held at Portsmo by adjt Saturday Janry 6th, 1727, 8

Present,

His Honr John Wentworth Esq Lt Govr

| | | | |
|---|---|---|---|
| Mark Hunking | Esqrs | A Mcpheadris | Esqre |
| Geo: Jaffrey | | John Frost | |
| Shada Walton | | Joth Odiorne | |

Adjd til Monday next 10 a'Clock A. M.

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Pro of N Hampre

At a Genl assem by adjt at Portsmo Monday Janry 8th 1727, 8

Present

His Honr John Wentworth Esq Lt Govr

| | | | |
|---|---|---|---|
| Mark Hunking | Esqrs | A Mcpheadris | Esqrs |
| Geo Jaffrey | | John Frost | |
| Shada Walton | | Joth Odiorne | |

Adjd til tomorrow 10 aClock A. M.

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[P. 448.] Pro: of N. Hampre

At a Genl assembly held at Portsmo by adjournment tuesday Janry 9th 1728, 9

Present,

His Honr John Wentworth Esq Lt Govr

| | | | |
|---|---|---|---|
| Mark Hunking | Esqrs | Archd Mcpheadris | Esqre |
| Geo Jaffrey | | Jno Frost | |
| Shada Walton | | Joth Odiorne | |

A Message to the Board by Messrs Wiggin & Atkinson with a Vote for a new regulation of the Court of appeals upon which Mr Jaffrey and Capt Odiorne were sent down to acquaint them His Honr was much Surprised at the Vote since he had Communicated Instructions to them on that head.

His Honr was pleased to declare that Whereas Henry Sherburne Esq had been heretofore recommended home in order for His Majestys Mandamus to be of the Council in this Province, and Sundry Members of the Council being at this Juncture absent and Indisposed whereby the busyness of the Present Session may be impeded for want of a quorum of Councillrs Therefore he resolved that the Said Henry Sherburne Esq be desired to give his attenda at the Board in order to be admitted a Member of the Council who came and having taken the proper oaths His Honr directed him to take his place accordingly.

Adjd til tomorrow 10 a'Clock A. M.

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Pro: of N. Hampre

At a General assembly held at Portsmo by adjt Wednesday Janry 10th 1727, 8

Present

His Honr John Wentworth Esq Lt Govr

| | | | |
|---|---|---|---|
| Geo Jaffrey | Esqs | Mark Hunking | Esqs |
| Shada Walton | | Archd Mcpheadris | |
| Jno Frost | | Joth Odiorne | |

Henry Sherburne Esq

A Message to the Board by Messrs Gambling & Wiggin to pray the Council to reconsider the vote of the House for regulating the Court of appeals wch was non Concurr'd yesterday.

[P. 449.] A Message to the House by Colo Walton & Capt Odiorne to acquaint them the Council would Consider of the regulating the Court of appeals next Spring Session.

A Message to the Board by Mess[rs] Atkinson and Knight with a Vote relating to the Court of appeals and for an agent Whereupon Mess[rs] Jaffrey and Frost were sent down to tell the House their Vote was a Scandalous libel, and to propose to them to recall & reconsider it.

A Message to the Board by Mess[rs] Tibbits & Stevens with a Vote for immediately printing the Votes of Gen[l] assembly this Session which was read and Non Concurr'd and sent down by the Clerk.

Adjournd til tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp[re]

At a General assembly held at Portsm[o] by adjornm[t] thursday Jan[ry] 11[th] 1727, 8

Present,

His Hon[r] John Wentworth Esq L[t] Gov[r]

Mark Hunking, Geo : Jaffrey, Shad[a] Walton } Esq[rs]

Arch[d] M[c]pheadris, John Frost, Joth Odiorne } Esq[rs]

Henry Sherburne, Esq

A Message to the House by Mess[rs] Jaffrey and Frost w[th] a Vote of Council in reply to the Vote the House sent up yesterday relating to an agent.

A Message to the Board by Mess[rs] Wiggin and Tibbits with an answer of the House To the Vote of Council sent down to day in Vindication of the House from the reflections in the Councils Vote.

Adj[d] til tomorrow 10 a'Clock A. M.

Pro: of N. Hamp

At a Gen$^{l}$ assembly held at Portsm$^{o}$
by adjornm$^{t}$ fryday Jan$^{ry}$ 12$^{th}$ 1727.
Present
His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad Walton } Esq$^{rs}$
A Macpheadris, Joth Odiorne, Hen. Sherburne } Esq$^{rs}$

[P. 450.] A Message to the board pr Mess$^{rs}$ Stevens and Dennet with a Vote for repealing the Powder Act which was return'd by the Clerk non Concurr'd.

Adjourn'd till tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp$^{re}$

At a General assembly held at Portsmouth
by adj$^{t}$ Saturday January 13, 1727, 8
Present
His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Geo Jaffrey, Shad$^{a}$ Walton } Esq
A. M$^{c}$pheadris, Joth Odiorne, Hen. Sherburne } Esq$^{rs}$

A Message to the House by Geo Jaffrey Shad$^{a}$ Walton and Joth Odiorne Esq$^{r}$ to adjourn them til
Tuesday y$^{e}$ 23$^{d}$ Instant.

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Pro: of N. Hamp$^{re}$

At a General assembly held at Portsmouth
by adjornm$^{t}$ Tuesday January 23, 1727, 8
Present
His Hon$^{r}$ John Wentworth Esq Lieut Governor

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$
A M$^{c}$pheadris, Joth Odiorne, Hen. Sherburne } Esq$^{rs}$

A Message to the Board by Mess$^{rs}$ M$^{c}$Keen and Cap$^{t}$ Knight to acquaint His Hon$^{r}$ that Cap$^{t}$ Paul Gerrish who

was return'd to Serve as represent for Dover was now come to the House, and that the Speaker prayd he might be qualified.

A Message to the House by Mr Jaffrey Mr Odiorne and the Cler: to admr the Oaths to the Sd Capt Gerrish wch was done.

Adjd til tomorrow 10 aClock A. M.

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Pro: of N. Hampre

At a General assembly held at Portsmouth by adjournmt Wednesday Jan. 24th 1727, 8

Present

His Honr John Wentworth Esq Lieut Govr

Mark Hunking, Geo. Jaffrey } Esqrs
Shada Walton, Jno Frost } Esqrs
A Macpheadris, Joth Odiorne, H. Sherburne } Esqrs

[P. 451.] A Message to the Board from the House to pray a Conference upon the Subject matter of repealing the riotous act and regulating the Court of appeal.

& Message to the House by John Frost Esq to acquaint them that the Council Consented to and were ready for the Conference they proposed whereupon the Speaker and House attended at the Board and the two points above mention'd being fully discussed they withdrew to their own Chamber

In Coun,

Ordered That the Clerk Issue a Warrant agst Benja Rust To answer before The Lt Govr and Council for Sundry Indirect reflections upon them &ca The Same was done & The Said Rust brot before the Board & Then It was resolved that he attend at the Council Chamber on the second Wednesday in febry next in order to his tryal, and that he be Committed to Goal in the mean time or recognize to His Majesty in the Sum of 400£ wth two Sureties in the

Sum of 200£ each to appear at the S^d day and to abide the Sentence, then to be pass'd upon him, and that he should be of good behaviour in the mean time. He recognized according to ord^r.

all y^e papers relating to rust viz warr^t recog. & Depositions were Deliverd to y^e Cler: Sup^r Court pr ord^r L^t Gov^r.

Adj^d til tomorrow 10 aClock A. M.

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Pro. of N. Hamp^re

At a Gen^l assem held at Portsm^o by adjournm^t Thursday Jan^ry 25^th 1727, 8

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey } Esq — Shad^a Walton, A M^cpheadris } Esq^s

Jn^o Frost, Joth Odiorne, H. Sherburne } Esq^rs

Adj^d til tomorrow 10 a Clock A. M.

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Pro of N. Hamp^re

At a General assembly held at Portsm^o by adjournm^t fryday Jan^ry 26, 1727, 8

Present

His Hon^r John Wentworth Esq Lieu^t Gov^r

Mark Hunking, Geo Jaffrey } Esq^rs — Shad^a Walton, a M^cpheadris } Esq^rs

Jn^o Frost, Joth Odiorne, H. Sherburne } Esq^s

A Message to the House by Mess^rs Jaffrey and Frost to acquaint them if they w'd prepare a suitable Vote to repeal y^e riot act y^e Board w'd Concur.

[P. 452.] a Message from the House with the following votes.

In The House of Represent Jan : 26 1727, 8

Whereas There was an act pass'd in this Province in the Seventh year of His late Majesty King George 1st Entituled an additional act for the Punishing Criminal offenders and for the preventing tumultuous & riotous assemblys which Act was made on a Supposition that there might be some disorderly persons in Said Province disaffected to His Said late Majesty and the Establishment of the Crown on the Illustrious House of Hanover, and inasmuch as it is now apparent that there has not been discovered so much as one Such disaffected Person within Said Province but on the Contrary that His Majestys Subjects here are Strongly an universally attach'd to His Majestys Interest Person and Goverment and to the afores^d^ happy Establishm^t^ of the Crown Therefore Voted That the Said Act and Every Clause thereof be repealed and that an act be drawn up accordingly, and that Benj^a^ Gambling Esq and the Clerk of the House be of the Committee from this House to joyn with a Comitte of the upper House to draw up the act accordingly.

Jam^s^ Jeffry Cler assem

Jan^ry^ 26, 1727, 8

In Coun. Read and Concurrd and Geo Jaffrey and John Frost Esq^rs^ appointed for the Service above

Pass'd nemine Contradicente

R. Waldron Cler : Con

A Message to the House pr Col^o^ Walton w^th^ a Vote of Council Pass'd yesterday for a Committe to accompany the L^t^ Gov^r^ to Boston to meet Gov^r^ Burnet &c^a^ w^ch^ was returnd non Concurr'd.

A Message to the Board by Mess^rs^ Dennet and Jennis w^th^ a Vote of the House for a Committe of y^e^ House to meet y^e^ Gov^r^ at Boston, and a Committe of the Council to do y^e^ like distinct if yy Saw meet which was returnd non-concurr'd.

A Message to the House by Cap^t^ Sherburne w^th^ a Vote

of Council for a Comitte of both Houses Conjunct to wait on ye Govr at Boston returnd non concurr'd.

[P. 453.] A Message to the Board by Messrs Stevens & Jennis with the following Votes.

In The House of Represent
Janry 26, 1727, 8

Voted That Capt Geo Walker and Mr Ephra Dennet be a Committe of this House to joyn with a Committe of the upper House to provide a House for the entertainmt of his Excellency Govr Burnet against his arrival and that when he Shall give notice or it be known when he intends to come into this Province, that Said Committe make Suitable provisions for his reception & Entertainment here and that the Treasurer Supply Said Committe with mony for the end above said.

Jams Jeffry Cler assem

In Coun Eod die

Read and Concurrd and Capt Wibird and Capt Sherburn appointed on the Part of the Board for the Service above.

R Waldron Cler Con.

In The House of Represent Janry 26, 1727, 8

Voted That There be signd off the Sum of Seven hundred pounds by the Comitte that is appointed for Signing the Bills last printed and put into the Treasury for the Payment of what Debts are now allowed or due from this Province and that His Honr the Lieut Governor be desired to Issue out his warrants for payment of the same to those Persons to whom it is due.

Jams Jeffrey Cler. assem.

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

In The House of Represent Janry 26, 1727, 8

Whereas there was five thousand three Hundred and Eighty four pounds in bills of Credit on this Province Put

into sundry persons hands for the Exchanging of the old Sign'd bills of Credit on this Province and there being more than what is Sufficient to Exchange what there is out, of the Said old mony Therefore

Voted That the Persons in whose hands the S$^{d}$ Bills or any part thereof are, be directed to bring the same into the General [P. 454.] assembly on the third day of the spring Sessions with their accounts of what they have Exchanged and the several Persons be served with a Copy of this Vote

Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con.

Sundry Persons of London Derry Presented a Petition to The Gen$^{l}$ [Assem] Praying a regulation of some of the Town affairs w$^{ch}$ was brot to the Board by James M$^{c}$Keen Esq The Petition is on file, and the Votes thereon are as follow

In The House of Represent

Jan$^{ry}$ 26, 1727, 8

The above Petition being read ordered that the Petitioners serve the opposite Partys Concern'd w$^{th}$ a Copy of the Petition and that they appear Each party the Second day of y$^{e}$ sitting of the Gen$^{l}$ assembly in the Spring Sessions to be heard on the Premises.

Jam Jeffrey Cler Assem.

In Coun Eod die

Read and Concurr'd

R. Waldron Cler: Con

Auditors report

allow'd To Rich$^{d}$ Perry for Sundrys at the Fort £20: —: 5

To Ju$^{o}$ Robinson Ditto £11: 19: —

To Benj$^{a}$ Rust for house hire til y$^{e}$ 10 Oct$^{r}$ last if according to agreem$^{t}$ £16: —: —

To John Wentworth for Sundrys at
y^e^ Fort £5: 8: 6
To Tho^s^ Harvey for Gondela hire £—: 15: 4
To Benj^a^ akerman a day service &
Canoe £—: 6: —

archd Mcpheadris
And Wiggin
Theo atkinson

In The House of Represent Jan^ry^ 10th 1727, 8

Voted That the above return be accepted and that there be paid out of the Public Treasury to the Several Persons the Sums Carry'd off and that there be further allow'd and paid out of the Publick Treasury to the Several Persons as under written [p. 455.]

To Timo Davis for the use of his boat damage
she sustained at y^e^ ratification £2: 5: —
Benj^a^ Rust for Publick Exp^ce^ to Jan^ry^ 10,
1727, 8 £6: 14: 4
Clem^t^ Hughes for Service &c^a^ £8: 11: 4
James Jeffry for Services as Cler assem from
19, 9^br^ 1726 to 9^br^ 19th 1727 £15: —: —

Jam^s^ Jeffrey Cler assem

In Coun Jan 26, 1727, 8

Read and Concurr'd

R. Waldron Cler Con

Mr Treasurer Jaffreys Particular acc^t^ Including the whole Expence of Disbursmt^s^ and allowances for time of y^e^ Gentlemen the Tend^rs^ and Portlege bill amounting to £388: 5: 11: as on file was voted upon as follows

In The House of Represent

Voted That The Said account be allowed and Paid as the Several Sums are Carryed off and that there be Signed off by the Committe for Signing the mony last printed the Sum of one hundred eighty eight pounds five Shillings and

eleven pence for the Payment of the above account besides the two hundred pounds already put in.

Jam$^{s}$ Jeffry Cler. assem.

In Council Jan$^{ry}$ 26, 1727, 8

Read and Concurr'd

R. Waldron Cler Con

In The House of Represen$^{t}$ Jan 12, 1727, 8

Allowd Benj$^{a}$ Gambling Esq for administering the oaths to the People thro the Province by the L$^{t}$ Gov$^{rs}$ order £4:

Jam$^{s}$ Jaffrey Cler asrem

In Coun Jan$^{ry}$ 26, 1727, 8

Read and Concurr'd

Rich$^{d}$ Waldron Cler Con

Adj$^{d}$ til tomorrow 10 aClock A. M.

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[P. 456.] Pro: of N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsmouth by adjm$^{t}$ Saturday Jan$^{ry}$ 27, 1727, 8

Present,

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

A Macpheadris, Jn$^{o}$ Frost, Joth Odiorne } Esq$^{rs}$

Henry Sherburn Esq

A Message to the Board by Mess$^{rs}$ Atkinson & M$^{c}$Keen w$^{th}$ the following Vote.

In The House of Represent Jan 27, 1727, 8

Whereas M$^{r}$ agent Newman hath by a letter To His Hon$^{r}$ of y$^{e}$ 25$^{th}$ of September last Signifyed that he thinks his Commission ceases w$^{th}$ Gov$^{r}$ Shute's It being from him therefore

Voted That His Hon$^{r}$ the L$^{t}$ Gov$^{r}$ be desired to acquaint the Said agent that It is the mind and direction of this House that he imploy the mony in his hands in prosecuting the Settlement of the lines of the Province according to former Instructions, and that this House Imagine that his

former Commission together with what His Hon$^{r}$ (by virtue hereof) Shall write him will be Sufficient power for him for that end.

Jam$^{s}$ Jeffrey Cler: assem

In Council Eod die

Read and Concurrd

R. Waldron Sec$^{cy}$

A Message To The House by Mess$^{rs}$ Odiorne Sherburne & the Clerk to Prorogue them, to the Second tuesday in May next.

Prorogued to y$^{e}$ 2$^{d}$ tuesday in May 1728.

March 27$^{th}$ 1728 The General Assembly Dissolved by Proclamation.

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[p. 457.] Pro. of N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsmouth Apr$^{l}$ 9$^{th}$ 1728.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Joth Odiorne, Henry Sherburn } Esq$^{s}$

Mr Sherriff Gambling made return of the Precept to him Directed for Choice of an assembly & the names of the Persons returnd to Serve are as follows.

| For Portsm$^{o}$ | For Dover | For Hampt$^{o}$ |
|---|---|---|
| Cap$^{t}$ Geo Walker | Cap$^{t}$ Sam$^{l}$ Tibbits | Cap$^{t}$ Josh. Winget |
| M$^{r}$ Eph$^{a}$ Dennet | Cap$^{t}$ Paul Gerrish | M$^{r}$ Jn$^{o}$ Sanburn |
| Cap$^{t}$ Josh$^{a}$ Pierce | Cap$^{t}$ Fran$^{s}$ Mathes | |

| For Hampt$^{o}$ Falls | For N. Castle & Rye | For Exeter |
|---|---|---|
| Nath$^{l}$ Weare Esq | M$^{r}$ Theo Atkinson | Samuel Thing Esq |
| | M$^{r}$ Richard Jennis | M$^{r}$ Barth$^{w}$ Thing |

| Kingston | Newington | Strath. |
|---|---|---|
| M$^{r}$ Eben Stevens | M$^{r}$ Jn$^{o}$ Downing | And$^{w}$ Wiggin Esq |

A Message to the House by Mess^rs^ Jaffrey Odiorne Sherburne and the Cler: to administer the Proper oaths to the Persons returnd as above which was done accordingly and the Declaration Subscribed according to law by all Except Cap^t^ Mathes who was not present.

A Message to the House pr Col^o^ Walton to direct them that as they had now taken the oaths they Should proceed to the Choice of a Speaker and Settlement of their House.

A Message in Writing to the Board by Mess^rs^ Walker Sanburne and Barth^w^ Thing to Signify to His Hon^r^ That the House had Chosen Nath^l^ Wear Esq Their Speaker which Choice was sent back disallowed under the hand of His Hon^r^ the Lieu^t^ Gov^r^ pr Jotham Odiorne Esq.

A Message to the Board by Mess^rs^ Atkinson Dennet Gerrish and Sanburne to pray His Hon^rs^ favour in acquainting the House that as the Negativing a Speak^r^ [P. 458] was a Matter quite new to them, whether his power for so doing was from His Commission, who answered It was.

A Message to the Board by Mess^rs^ Atkinson and Winget to pray His Hon^rs^ favour in Communicating to the House that Clause of His Commission relating to the Premises which His Hon^r^ ordered to be read to them accordingly.

A Message to the Board by Mr Wiggin to pray that paragraph above refer'd to might be read in the House which was done accordingly by Geo: Jaffrey and Jotham Odiorne Esq^rs^ who were sent down for that end.

A Message to the Board by M^r^ Dennet and Mr Gerrish to acquaint His Hon^r^ The House could not come into a new choice of a Speak^r^ to night, and therefore proposed to Suspend the further consideration thereof til the morning.

Then His Hon^r^ sent down Mess^rs^ Odiorne Sherburne and the Cler to adjourn til tomorrow

9 a'Clock A. M.

Pro: of N. Hamp

At a General assem held at Portsm° by adjournm^t^ Wednesday April 10^th^ 1728.

Present as Yesterday.

A Message in Writing to the Board by Mess^rs^ Pierce and three other Members praying that His Hon^r^ would not insist upon his disallowance of the Choice of the Speaker which was return'd by Mess^rs^ Jaffrey and Frost who were directed to inform them that if they would add to their request that they did not question His Hon^rs^ right of negativing a Speaker His Hon^r^ would then take their desire under consideration.

A Message to the House pr Mr Odiorne to inquire whether they had anything ready to lay before the Board who answered they had not.

A Message to the Board pr Mr Atkinson to acquaint His Hon^r^ That one of the Members for Dover who came not to the House til now & so had not taken the oaths was waiting to be qualified & pray'd it might be done whereupon Mess^rs^ Odiorne Sherburne and the Clerk were Sent down to adm^r^ the oaths to y^e^ S^d^ Mathes.

[P. 459.] A Message to the House by Mess^rs^ Odiorne Sherburne and the Clerk to adjourn them til tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp^re^

At a General Assembly held at Portsm° by adjournm^t^ thursday April 11^th^ 1728.

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey } Esqs

Shad Walton, Rich^d^ Wibird } Esqs

Jn° Frost, Joth Odiorne, Henry Sherburne } Esqs

A Message to the House by Mess^rs^ Walton and Odiorne to adjourn them til

To morrow 10 a'Clock A: M:

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Pro of N. Hamp^re^

At a General assembly held at Portsm^o^ by adjournm^t^ fryday April 12, 1728.

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey, Shad^a^ Walton } Esq — Rich^d^ Wibird, Joth Odiorne, Henry Sherburne

A Message to the House by Mess^rs^ Walton Odiorne and the Clerk to prorogue them til tomorrow 10 a'Clock A. M.

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Pro of N. Hamp^re^

At a Gen^l^ assem held at Portsm^o^ by Prorog^a^ Saturday April 13^th^ 1728

Present

His Hon^r^ John Wentworth Esq L^t^ Gov^r^

Mark Hunking, Geo Jaffrey, Shad^a^ Walton } Esq^rs^ — Joth Odiorne, Henry Sherburne } Esq^s^

A Message to the House by the Clerk to inquire whether The House was come to any resolve upon the point in hand namely y^e^ Choice of another Speaker who answered no.

A Message to the House pr Mess^rs^ Walton Odiorne and the Cler to Prorogue them

Til Wednesday next 3 a'Clock P. M.

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[P. 460.] Pro of N. Hamp^re^

At a Gen^l^ assembly held at Portsm^o^ by Prorog^n^ Wenesday April 17, 1728

Present

Mark Hunking, Geo Jaffrey } Esq — Shad^a^ Walton, Rich^d^ Wibird } Esq

Jn^o^ Frost Esq

A Message to the House by Col° Walton & Cap$^{t}$ Frost To acquaint them That y$^{e}$ L$^{t}$ Gov$^{r}$ being out of Town had left orders to Prorogue them til

tomorrow ten a'Clock A. M.

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Pro: of N. Hamp$^{re}$

At a General assembly held at Portsmouth by adjournment thursday april 18, 1728

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{s}$ — Rich$^{d}$ Wibird, Jn° Frost, Hen: Sherburne } Esq$^{s}$

A Message to the Board by Messrs Atkinson Sanburne and Stevens in writing Signifying the House had proceeded to a Choice of a New Speaker (viz) And$^{w}$ Wiggin Esq w$^{th}$ a preamble in Justification of the late Speaker Weare His Hon$^{r}$ Signifyed his allowance of the Choice but utter dis approbation of the Preamble in writing under his hand which was sent down by John Frost and Henry Sherburne Esq$^{rs}$ who were directed to inform the House that His Hon$^{r}$ required their attend$^{a}$ at the Board the Speaker and House came up accordingly to whom His Hon$^{r}$ made y$^{e}$ following speech

*Gent*

It is with Great pleasure and Satisfaction that I meet you here at this time and I hope with Minds well prepared to pass on what may lye before you & reassume those things that were Voted in both Houses, and might then been finish'd had not some designing men prevented it, who I have reason to think had their own Private views at heart more than the good of the people they represented. Yet they Cry'd up Liberty and Property that being onely an amusement that so Some Private designs might the better Succeed which not onely tended to the dishonour of His Majesty but also to alienate the minds and [p. 461] affections of His Majestys good subjects from me and his Council of this Province and Stil persisting on things that was not in my power to grant being absolutely against His Majestys Instructions for these and such like reasons I dissolved that Assembly. I hope we are now furnish'd with better Principles and will Consider the Common Good of the

Province Setting aside all Self Interests and in our Several Stations use our utmost endeavours to cultivate Principles of loyalty and obedience to His Sacred Majesty King George the Second and his royal Issue und$^{r}$ whose happy Influence our most Valuable Privileges both in Church and State under God depends.

I design this Sessions Short therefore hope you will apply yourselves to the busyness that may lye before you particularly that you make Suitable Provision for His Excell$^{cy}$ Gov$^{r}$ Burnet's reception who may be Expected here in a little time. I recommend to you that Mr Treasurer may be Enabled to provide for the repairing the Platform & Gun Carriages at Fort W$^{m}$ & Mary w$^{ch}$ was Survey'd and I suppose reported in our last Dec$^{r}$ Session, materials being provided therefor. If anything Else occurs that's for His Majestys Service and the good of this Province you are always Sure of my best endeavours to promote if in my power. I am Comanded by His Majesty to recomend to you the Hon$^{ble}$ Support of this His Government and I take this opportunity to recommend it to your Consideration.

April 18$^{th}$ 1728. J WENTWORTH

The Speaker Pray'd a Copy of the foregoing speech w$^{ch}$ was granted and the Same Sent down by the Cler.

Adj$^{d}$ til tomorrow 10 a Clock A. M.

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Pro of N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsm$^{o}$ by adjournment fryday Apr$^{l}$ 19$^{th}$ 1728.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$ Rich$^{d}$ Wibird, Henry Sherburne } Esq$^{rs}$

A Message to the Board by Mess$^{rs}$ Sanburne and Stevens with a Vote for repealing the act ag$^{st}$ Trading w$^{th}$ y$^{e}$ Indians w$^{ch}$ was Concurred with and is as follows: [P. 462] Whereas There was an act passed in the General assembly of this Province in 8$^{br}$ 1721 Entituled an act to prohibit trade and Commerce with the Eastern Indians wherein the penalty is 500£ and 12 m$^{os}$ Imprisonment without bail or mainprise and that now it being peace with those Indians, and they have liberty to trade where they please by the articles of peace Therefore Voted that there be a bill prepared to re

peal S[d] act and that Mr Atkinson and Cap[t] Paul Gerrish be of the Committee from this House to prepare the Said bill

Apr[l] 19[th] 1728. Jam[s] Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Mess[rs] Jaffrey and Sherburne appointed for the Service above.

R. Waldron Cler: Con

A Message to the Board by Mess[rs] Sanburne and Jennes w[th] three Bills pass'd to be Engrossed (viz) for Triennial Choice of assem men, ab[t] Shingles, & to repeal y[e] riot act.

Adjourn'd til tomorrow 10 a'Clock A. M.

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Pro N. Hamp[re]

At a General assembly held at Portsmouth by adj[t] Saturday April 20[th] 1728.

Present

His Hon[r] John Wentworth Esq L[t] Gov[r]

Mark Hunking, Geo Jaffrey, Shad[a] Walton } Esq[rs]

Rich[d] Wibird, Henry Sherburne } Esq[rs]

A Message to the Board by Mr Sanburne w[th] the followlowing Vote

In The House of Represent Apr[l] 20, 1728

Voted That Cap[t] Geo Walker and Mr Eph[a] Dennet be a Committe of this House to joyn with a Committe of y[e] upper house to provide for the entertainment of His Excellency Gov Burnet ag[st] his arrival, and that when he Shall give notice (or it be known) when he intends to come into this Province, That the Said Committe make Suitable provision and Entertainm[t] for his reception here, and that the Treasurer Supply Said Committe with mony for the end abovesaid.

Jam[r] Jeffrey Cler assem

[p. 463.] In Coun Eod die

Read and Concurrd and Messrs Wibird & Sherburne appointed for the Service above.

R. Waldron Cler Con

A Message to the Board by Messrs Walker Dennet & Stevens wth a Vote for Impressing thirty thousand pounds.

A Message to the House by Mr Jaffrey and Mr. Sherburne to acquaint them that their Vote for 30000£ was very Surprising to the board in regard to the greatness of the Sum but that His Honr and the Board wd thing [think?] of a proper Sum to be Emitted.

A Message to the House by Messrs Walton Sherburne and the Clerk to adjourn them,

Til Wednesday ye 24th Inst

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Pro of N. Hampre

At a Genl assembly held at Portsmo by adjournmt Wednesday april 24th 1728.

Present

His Honr John Wentworth Esq Lt Govr

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo: Jaffrey<br>Shada Walton | Esqrs | Richd Wibird<br>Joth Odiorne<br>Hen Sherburne | Esqrs |

His Honr the Lieut Govr laid before the Board a Commission from His Majesty King George ye 2d for the Lieutenancy of this Province Dated 17 October 1727 and acquainted the Council he purposed the immediate publication thereof whereupon the Council advised that the Treasurer defray the Expense of the day and the Said Commission was published accordingly The Council & Representatives with some of the Principal Gentlemen & two foot Companys of Militia attending on the Occasion

Adjd til tomorrow 9 aClock A. M.

Met according to adj$^{t}$ & and adj$^{d}$ till tomorrow 10 o'clock A. M.

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[P. 464.] Pro : of N. Hamp$^{re}$

At a General assembly held at Portsmouth by adjournm$^{t}$ fryday april 26 : 1728.

Present,

His Hon$^{r}$ John Wentworth Esq$^{re}$ L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Joth Odiorne, Hen Sherburne } Esq$^{rs}$

A Message to the Board by Mess$^{rs}$ Tibbits and Winget w$^{th}$ an answer to His Hon$^{r}$ Speech as follows

*May It Please your Honor.*

In your Speech to this House you were pleased to manifest your satisfaction in meeting of us here hoping our minds were well prepared to pass on what might lye before us. We assure your Honor that We are come with Sincerity of mind and integrity of heart to do all those things that may be for the Honor of the King and the good of his People without any private Views or ends. And as your Hon$^{r}$ is pleased to put us in mind of reassuming those things that were Voted in both Houses we Shall endeavour as far as in us lyes, that they may be finished, and we count it our Duty to let your Honor know that We take particular notice of the Extraordinary Proclamation by which the last assembly was dissolved and likewise of what your Honor was pleased to set forth in your Speech that those things had been finish'd had not some designing Men prevented it who have reason to think had their own private views at heart more than the good of the People they represented yet they cry'd up liberty and property and we of the House being altogether ignorant of any Such designs We thank your Hon$^{r}$ as we are most of us the same men that were of the last assembly that your Hon$^{r}$ has so far clear'd the House as to declare that the Votes had pass'd both Houses so we conceive that all persons may know that the House could not hinder the finishing the same. We assure Yo$^{r}$ Hon$^{r}$ we Shall always endeavour the Publick good and to the Utmost of our power Shew our loyalty and obedience to His [P. 465.] Sacred Majesty King George the second and His royal Issue and Count it our highest happyness that We can enjoy here that we live under the Goverment of so gracious a Prince We Shall take Especial care to make provision for the reception of Gov$^{r}$ Burnet, as for any other thing that may come before us we Shall be very carefull to do that which may be for the Honor of the King and the good of the subjects

Apr$^{l}$ 25$^{th}$ 1728. And$^{w}$ Wiggin Speak$^{r}$

A Message to the Board by Mess^rs^ Gerrish and Thing with the following Vote,

Whereas The act requiring all Coasting Vessels to pay three Shillings pr ton as powder mony hath been very detrimental to His Majestys good Subjects that are concernd in the Coasting trade in that it hath hindered Sundry transient Sloops that usually brot money into the Government they being obliged to pay for y^e^ first trip as much as if they traded one whole year and that it hath raised three Shillings pr thousand upon the freight of all Boards and Lumber that the Inhabitants of this province Send to other Ports in the neighboring Goverments upon their own accounts by which the burden of that act lyes upon those Particular men. For Remedy whereof

The House of Represent most humbly request that that part of the act relating to the Sloops payment of powder mony be suspended, and that Instead thereof there be paid out of the publick Treasury a Sum not Exceeding two hundred pounds for two years to be drawn out as there is occasion for the Supply of Fort W^m^ & Mary.

Apr^l^ 26, 1728. Jam^s^ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

A Message to the Board by Mess^rs^ M^c^Keen and Jennis w^th^ a Vote for printing the laws which was returnd by Geo: Jaffrey & Henry Sherburne Esq^rs^ w^th^out anything written, and by the Same Message a Vote of Council went down for a Survey of the laws in order to a New Impression.

A Message to y^e^ Board by Mr Atkinson w^th^ the following Vote

[P. 466.] In The House of Representatives.

Apr^l^ 26, 1728.

Whereas In the House of Represent the 13^th^ of Nov^r^ 1727 There was allowed Benj^a^ Rust the sum of Sixteen pounds for fire wood, house rent, and Candles &c^a^ from 8^br^

1st 1726 to ye 1st of Octr 1727 and there has been some Mistake in the allowance, therefore tis now Voted that the Said Benja Rust be paid out of the Publick Treasury the sum of sixteen pounds as above and that the former order is here by superseded and to be given up.

Jams Jeffry Cler assem

In Coun Eod die

Read and Concurr'd

R. Waldron Cler Con

Adjd til tomorrow 10 a'clock A : M :

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Pro : of N. Hampre

At a General Assembly held at Portsmouth by adjournmt April 27, 1728 being Saturday.

Present

His Honr John Wentworth Esq Lt Govr

Mark Hunking, Geo : Jaffrey, Shada Walton } Esq

Richd Wibird, Jno Frost, Joth Odiorne } Esq

Henry Sherburne Esq

A Message to the Board by Messrs Winget & Tibbits with the following Votes.

In The House of Represent Apr1 27th 1728

Voted That this House desires His Honr the Lieut Governor to give orders according to the Votes of Assembly of april 26th to the receiver of the powder money that he forbear to receive from any Coasting sloops any powder mony by Virtue of the act for payment thereof.

James Jeffry Cler assem

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

In The House of Represent Apr1 27, 1728.

Voted That there be Signed off the Sum of Six hundred pounds by the Comitte that is appointed for Signing the

Bills of Credit last printed and put into the Treasury for the payment of what is now due from the Province [P. 467] and what else is and may be allowed by the General assembly now, and that His Hon$^{r}$ be desired to Issue out warrants accordingly

Jam$^{s}$ Jeffry Cler assem.

In Coun Eod die.

Read and Concurr'd

R. Waldron Cler Con

The following Vote pr Mr Dennet.

In The House of Represent apr$^{l}$ 27, 1728

Voted That M$^{r}$ Speak$^{r}$ Wiggin and Mr Theo$^{re}$ Atkinson be a Committe of this House to joyn w$^{th}$ as many of the upper house to go with His Hon$^{r}$ the Lieut Gov$^{r}$ to Boston to Congratulate His Excellency Gov$^{r}$ Burnet in behalf of this Goverment upon his arrival there and that Their Expence be paid out of the Publick Treasury.

Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd and Voted that Geo Jaffrey, John Frost and Henry Sherburne Esq$^{rs}$ be appointed of the Board for the Service above.

R. Waldron Cler Con.

A Message to the Board by Mess$^{rs}$ Gerrish, Dennet and Jennis.

In The House of Represent.

apr$^{l}$ 27, 1728.

Whereas His Hon$^{r}$ The Lieu$^{t}$ Gov$^{r}$ hath had the whole Goverm$^{t}$ Stil continued upon him as Command$^{r}$ In Chief Voted that he be presented and paid out of the Publick Treasury the sum of one hundred pounds for half a year in 1727.

Jam$^{s}$ Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

A Message to the House by Mess^rs^ Frost Sherburne and Odiorne requiring their attend^a^ at the Council Board The Speak^r^ and House came up accordingly & Then were Signed the following acts.

1. An Act for Calling and Electing assembly Men and their qualifications.

2. An Act regulating the Excise of Shingles

[P. 468.] 3. An Act To repeal an Act Pass'd in y^e^ seventh yeare of His late Majesty King George the first Entituled an Act in addition to an Act for punishing Criminal offenders, and to repeal the act for prohibitting Trade and Commerce with the Eastern Indians.

Prorogued
To May 14, 1728.

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In Coun Order'd That Sam^l^ Thing Esq be restored to the Commission of the Peace.

Order'd That the Treas^r^ forth^wth^ Procure ten barr^ls^ Gunpowd^r^ for the Fort.

The L^t^ Gov^r^ declared that he had determined to remove Mr Sheriff Gambling from that office, and proposed Mr Theodore Atkinson to Succeed him and Sign'd a Commission Constituting the Said Atkinson High Sheriff, and the proper oaths were administer'd to him.

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Pro of N. Hamp^re^

At a General assem held at Portsmouth by Prorogation Tuesday May 14^th^ 1728.

Present His Hon^r^ The L^t^ Gov^r^

| | | | |
|---|---|---|---|
| Mark Hunking<br>Geo Jaffrey<br>Shad^a^ Walton | Esq | Rich^d^ Wibird<br>John Frost<br>Hen: Sherburne | Esq |

A Message to the House by the Clerk to require their

attendance at the Council Board the Speaker and House came up accordingly to whom His Hon$^{r}$ made the following Speech.

*Gentn*

I Design This Session as Short as may be by reason His Excellency Gov$^{r}$ Burnet may be Expected at Boston every day, and then soon with us in this Province.

The most material thing that will lye before us at present is the Settling the proportion on the polls Stock and rateable Estates of the Inhabitants of y$^{e}$ Several Towns in The Province which will take up some [P. 469] time to weigh and maturely consider the several circumstances of Each Town so as that equal Justice may be administer'd to that end I reccommend that a Suitable Committe be forthw$^{th}$ chosen. I would put you in mind that Mr Treas$^{rs}$ acct$^{s}$ may be called for that so a Settlement may be made, this being the proper season therefor.

As to what other affairs now lying on the anvil I am of opinion they may be suspended until His Excellencys arrival here however I shall receive and hear anything else you have to offer that's for His Maj$^{tys}$ Service and the good of the Province which I have always at heart I have many times mentioned the State of our affairs relating to our Agent at the Court of Great Britain and am thotfull whether our delay may not prove prejudicial to us in the end I again recommend it as a Matter very well worthy of your consideration and hope you will now think so.

May 14, 1728. J. WENTWORTH

Adj$^{d}$ til tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp$^{re}$

At a General assembly held at Portsm$^{o}$ by adj$^{t}$ Wednesday, May 15$^{th}$ 1728.

Present

His Hon$^{r}$ John Wentworth Esq L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq

Rich$^{d}$ Wibird, Jn$^{o}$ Frost, Joth Odiorne } Esq

H. Sherb$^{n}$ Esq

Adj$^{d}$ til tomorrow 10 aClock A. M.

Pro of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adjournment Thursday May 16^th 1728.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Jn^o Frost, Joth Odiorne } Esq^rs

H. Sherburne Esq

A Message to the Board by Mess^rs Walker and Winget w^th y^e following order.

In The House of Represen^t May 16, 1728

[P. 470.] Ordered That Those Gentlemen that were the Signers of the five thousand three hundred and Eighty four pounds for Exch^a the old Cypher'd bills do bring in their receipts on acc^ts to morrow of what they delivered each of the Trustees for the Exchanging Said bills that the Said Trustees may be accounted with

Jam^s Jeffry Cler: assem.

In Coun Eod die

Read and Concurrd

R. Waldron Cler Con.

By Mess^rs Walker and Dennet the following answ^r to L^t Gov^r Speech.

*May It please your Honor*,

Your Hon^r was pleased at the opening this Session to inform us your designing this Session as Short as might be, by reason of the Speedy Expectation of Gov^r Burnet's coming into this Province, and for your recommending us to an early and diligent dispatch of those things before us especially that great and necessary affair of Proportioning the several Towns with in this Province anew, that So equal Justice may be done unto all which we do assure your Honor we shall with all readyness of mind do our utmost endeavour to have it finish'd, and likewise Shall desire M^r Treasurer to have his accounts ready that so the Publick accounts may be Settled and thank your Hon^rs assuring us in yo^r Speech of your hearty readyness to hear anything that may be for His Majestys service, and the good of this Province and the other things might be Suspended until His Excellencys arrival Therefore Shall ac-

quaint your Hon^r of our deep apprehension of the Scarceness of mony and thereby trade failing w^ch renders us unable to perform many things otherwise might be done. As to Mr agent Newmans letters, for answer thereto we pray sometime to Consider thereof.

And^w Wiggin Speak^r.

John Bar Prefer'd a Petition for y^e Settlement of Derry lands read

Adj^d til tomorrow 10 aClock A. M.

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Pro: of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adj^t fryday May 17, 1728.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq

Rich^d Wibird, Jn^o Frost, Joth Odiorne } Esq

H. Sherburne Esq

Adj^d til tomorrow 10 aClock A. M.

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[P. 471.] Pro: of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adj^t Saturday May 18^th 1728.

Present

His Hon^r The L^t Gov^r John Wentworth Esq

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Jn^o Frost, Joth Odiorne } Esq^rs

Hen. Sherburne Esq

pr Mr Dennet The following Vote.

In the House of Represent May 16, 1728

Voted That Saml Thing Esq. Cap^t Josh^a Pierce & Theo Atkinson Esq be a Committe of this House to joyn w^th a Committe of the upper House to Examine the Treas^rs ac-

counts and any other account now to be brot in and make return to the General assembly

Jam$^{s}$ Jeffry Cler assem

In Coun May 18$^{th}$ 1728.

Read and Concurrd and Mess$^{rs}$ Wibird Frost and Sherburne appointed for the Service above.

R Waldron Cler Con.

Adj$^{d}$ til wednesday next 10 a'clock A. M.

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Pro: of N. Hamp$^{re}$

At a Gen$^{l}$ assem held at Portsm$^{o}$ by adjornment Wednesday May 22$^{d}$ 1728.

Present

His Hon$^{r}$ John Wentworth L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Joth Odiorne, Hen: Sherburne } Esq$^{rs}$

Adjd til Tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp$^{re}$

At a Gen$^{l}$ assembly held at Portsm$^{o}$ by adjournm$^{t}$ May 23$^{d}$ being thursday 1728

Present

His Hon$^{r}$ John Wentworth L$^{t}$ Gov$^{r}$

Mark Hunking, Geo Jaffrey, Shad$^{a}$ Walton } Esq$^{rs}$

Rich$^{d}$ Wibird, Joth Odiorne, Hen : Sherburne } Esq$^{rs}$

A Message To the Board by Mess$^{rs}$ Dennet & Thing w$^{th}$ a Vote for the impression of 30000£ Read and return'd

By The Same Message a Vote for a Committe to View & report the Defficiency of y$^{e}$ Goal (viz) Cap$^{t}$ Winget & Mr Dennet Col$^{o}$ Hunking & Col$^{o}$ Walton & other Votes as follow

[p. 472.] In The House of Represent May 23d 1728

There has been brot into the assembly this Sessions & burnt in the Genl assembly of the old Cypher'd bills from ye Several Trustees for Exchanging the Same.

| | |
|---|---|
| From Geo Jaffrey Esq the sum of | £155: 3: 6 |
| Richd Wibird Esqr | & 75: 18: – |
| Colo Hunking | £ 31: 17: 6 |
| Colo Weare | £ 94: 16: – |
| Majr Gilman | £ 40: 11: 6 |
| Jno Plaisted Esq | £ 23: 8: – |
| | £421: 14: 6 |

Voted That the above named Trustees be hereby discharged of the several Sums above carry'd off agst their names. Jam Jeffry Cler Assem.

In Coun Eod die

Read and Concurr'd (The total is four hundd twenty one pounds fourteen Shills & 6d)

R. Waldron Cler Con

Robt Weare and John Bar of Londo Derry preferr'd a Petition ye 18th Instant & the Selectmen being notify'd & all Partys heard what follows is ye result Thereof

Wheareas Robt Weare and John Bar preferrd a Petition to the Genl assembly on the 18th Instant for themselves and in behalf of twelve other persons all belonging to the Town of Londo Derry Shewing forth that there was not a Just and Equal division of the land in Said Town, and praying for relief in the Premises and there being an order of the Genl assem, that a hearing on the Said Petition Should be had this day, and that the Selectmen of the Said Town Should be served with a Copy of Said Petition and order and the Said Select men having been Served wth Such Copys and having sent Several persons in behalf of the Town (viz) Messrs James Greg John McMurphy Robt Boyes and Andw Todd to answer to the Said Petition &ca Both Partys appearing unitedly declared that they had

Settled the difference amongst themselves, and humbly pray'd the Goverment to give a Sanction to their agreem$^{t}$ Therefore

In Coun May 23, 1728.

Voted That the Said agreement be and hereby is Establish'd & Confirm'd, which agreem$^{t}$ is as [P. 473.] follows (viz) That the Vote Pass'd at a Proprietary meeting at Lond$^{o}$ Derry the fifteenth day of April Anno Dom. 1728 Concerning the Differences about amendment lands highway lands & want of Homestead lands be good and valid to all intents and purposes and in all respects any law usage or custome to the Contrary thereof notwithstanding, And that the Petitio$^{rs}$ (namely) Robert Weare, John Bar, Sam$^{l}$ Allison, W$^{m}$ Nichols, Jn$^{o}$ Anderson, James Morrison, Arch$^{d}$ Clendinen John Stewart Jn$^{o}$ Morrison, W$^{m}$ Umpha John Bar, Sam$^{l}$ Bar, John Barnet & Gabriel Bar Shall have five hundred and ninety four acres of land within the Said Town of London Derry (That is to Say) The Petition$^{rs}$ Shall have the one half of the land that fronts on Cobbets Pond, on the South Side & the east end of the S'$^{d}$ Pond so beginning at the Middle of the Said Pond & running out a Square line from the Pond three hundred and twenty rodds, if Policy Pond will allow thence Extending East not to Run past y$^{e}$ East end of Policy Pond southerly, and so running along y$^{e}$ habitable land breaking no form of land until the aforesaid Petitioners compliment of five hundred and ninety four acres is made up exclusive of any meadow w$^{ch}$ is reserved to the Town, and farther the Committe which Shall lay out the Said tract of land are to have regard to the quality, as well as quantity of the S'$^{d}$ land as the use and Custome of the S'$^{d}$ Town is and has been and lay it out accordingly. The Said Tract being in full Satisfaction to the Petition$^{rs}$ for amendment lands twenty acre lots and additions. R. Waldron Cler Con

May 23$^{d}$ Read and Concurr'd Jam$^{s}$ Jeffry

Adj$^{d}$ til Tomorrow 10 a'Clock A. M.

Pro of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adjournment fryday May 24^th 1728.

Present.

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Joth Odiorne, Hen Sherburne } Esq^rs

The following Proportion by Mr Stevens.

In The House of Represen^t May 24^th 1728

Whereas The Sundry Towns in This Province by their List bro^t in have some Valued their lands in one Town at one Rate and [P. 474] in other Towns not half that value, Therefore Voted That for making a more Equal proportion in Each Town of the value of the land meadow and Marsh in Each Town that it be valued at the Prices as hereunder

Portsm^o, Dover, Exeter — Hampton, Streatham, Greenland — Rye, N. Castle, Newington } at Six Shill^s pr acre

Lond^o Derry, Kingst^o } at 5^s pr acre

And That all negro Indian and Mulatto Slaves be valued at twenty pounds pr head.

Jam^s Jeffry Cler assem

In Coun Eod die

Read and Concurred. R. Waldron Cler Con

adj^d til tomorrow 10 a'Clock A. M.

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Pro of N. Hamp^re

At a Gen^l assem held at Portsm^o by adjournment Saturday May 25 1728.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^rs

Rich^d Wibird, Joth Odiorne, Hen. Sherburne } Esq^rs

A Message to the Board by Cap$^{t}$ Walker w$^{th}$ a Vote of the House for addressing His Majesty to be united To the Government of the Mass$^{a}$ Bay w$^{ch}$ was read but nothing pass'd upon it as on file.

By The Same Message the following Report and Votes We Whose names are hereunto Subscribed being appointed a Committe to view the defects of the Pro: Goal and to make return thereof to the assembly, accordingly We have viewed the Said Prison and Do report that It is necessary to have the Windows in the Chamber secured with Iron Bars as the Windows in the lower rooms are and likewise to have four good Substantial Padlocks purchased also to have the other Locks mended & new keys made if worth mending which when broken off may be seen and if not worth fitting up then to have new ones purchased and also to have Those places where attempts to Cut thro y$^{e}$ wood have been made mended and Secured w$^{th}$ Iron plates May 23$^{d}$ 1728

Josh$^{a}$ Winget, Mark Hunking,
Eph$^{a}$ Dennet, Shad Walton.

[P. 475.] In The House of Represen$^{t}$ May 25, 1728.

Voted, That the above return be accepted and that the Sherriff be forthwith directed to get the above mention'd particulars done and that the Province pay for the same.

Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd, R. Waldron Cler Con

adj$^{d}$ til Wednesday next 10 a'Clock A. M.

Pro: of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adj^t til Wednesday May 29^th 1728.

Present

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^s
Rich^d Wibird, Joth Odiorne, Hen Sherburne } Esq^rs

Adj^d till tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp^re

At a Gen^l assembly held at Portsm^o by adj^t thursday May 30^th 1728.

Present.

His Hon^r John Wentworth Esq L^t Gov^r

Mark Hunking, Geo: Jaffrey, Shad^a Walton } Esq^rs
Rich^d Wibird, Joth Odiorne, Hen. Sherburne } Esq^rs

A Message to the Board by Mess^rs atkinson & Sanburne with a Vote ab^t Proportioning the Trade of the Province w^ch was return'd pr Mess^rs Jaffrey Walton and Odiorne for reconsideration.

Adj^d till tomorrow 10 a'Clock A. M.

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Pro: of N. Hamp^re

At a Gen^l assem held at Portsm^o by adjt fryday May 31^st 1723.

Present

His Hon^p John Wentworth Esq L^t Gov^r

Mark Hunking, Geo Jaffrey, Shad^a Walton } Esq^s
Rich^d Wibird, Joth. Odiorne, Hen^ry Sherburne } Esq^rs

A Message to the Board w^th the following allowances To John Plaisted Esq for Comitte

Service at the Fort £1: — —
[P. 476.] Benj[a] Gambling for Service as Sheriff one year £15 and half a year for Jurys £9: 12: £24: 12: —
Rich[d] Waldron's Service one year Cler Con £75: —: —
Benj[a] Akerman's service one year 10£ Extra Service £3 & a day 6[s] £13: 6: —

Adj[d] til tomorrow 9 aClock A. M.

---

Pro: of N. Hamp[re]

At a Gen[l] assembly held at Portsm[o] by adj[t] Saturday June 1[st] 1728

Present

His Hon[r] John Wentworth Esq L[t] Gov[r]

Mark Hunking, Geo Jaffrey, Shad[a] Walton } Esq[rs]
Rich[d] Wibird, Joth Odiorne, Henry Sherburne } Esq[rs]

Several Messages To the Board by several members w[th] the following Votes:

In The House of Represen[t] May 30[th] 1728

Whereas The act for the Selectmen of Each Parish and Precinct within this Province to bring in a list of the Polls, and an inventory of the Estates belonging to their respective Towns and precincts, and there now having arisen many disputes concerning the Value of y[e] polls and the Prices that Estates Should be Set at, and for the better clearing up of that difference, and that Justice may be done.

Voted, That all polls be valued at pr head, £25: —: —
All Tillage, meadow and Marsh in Hampt[o], Exeter, Dover, Portsm[o], N. Castle, Streatham & Newington pr acre £—: 6: —
Kingston & Lond[o] Derry pr acre £—: 5: —

| | |
|---|---|
| Each ox | £3 : — : — |
| Each cow | £2 : — : — |
| Each Horse | £3 : — : — |
| Each Hog | £— : 10 : — |
| Each Negro Mulatto or Ind$^{n}$ Slave being male | £20 : — : — |
| Houses thro-out y$^{e}$ Province each | £1 : 5 : — |
| The Trade of y$^{e}$ Province valued at | £1600 : — : — |

Viz { Portsm$^{o}$ 1000£ Dover 200£ Exeter 200£
Hampt$^{o}$ — 50£ Hampfalls 50£ N. Castle 15£
Rye - - - - 10£ Newington 25£ Kingsto 20£
Lond$^{o}$ Derry 5£

[p. 477.] And That this be the rule for the Comitte to cast up according to the lists brot in from Each Town and that the number of acres for Lond$^{o}$ Derry be accounted four hundred.

Jam$^{s}$ Jeffry Cler assem

In Coun May 31$^{st}$ 1728.

Read and Concurr'd w$^{th}$ the following addition namely that the proportion of the Several Towns be Established according to the above Scheme for the present year and no longer.

R. Waldron Cler Con

In the House of Represen$^{t}$ May 31 1728.

The addition Read and Concurr'd and Voted that twenty five pounds on trade be added to Streatham it being omitted to be Enter'd as above and that the Proportion be made accordingly.

Jam$^{s}$ Jeffry Cler assem

And further That The Town of Gospert pay this year 1728 The sum of Sixteen pounds for their Province tax for Every thousand pounds rais'd in the Province and so in proportion for a Greater or lesser Sum.

Jam$^{s}$ Jeffry Cler assem

In Coun. Concurr'd w$^{th}$ y$^{e}$ foregoing Votes.

R. Waldron Cler Con

According to the Within Vote We of the Committe whose names are here unto Subscribed have proportioned to Each Town and parish and to every thousand pounds that is to be raised in the Province. The Proportion is as follows:

| | |
|---|---|
| Portsm$^{o}$ | £187: 16: 4 |
| Dover | £217: 15: 5½ |
| Hampt$^{o}$ | £97: 4: 5 |
| Hampt$^{o}$ falls | £88: 4: 3½ |
| N. Castle | £24: 19: 4 |
| Rye | £29: 1: 7½ |
| Exeter | £127: 18: 9 |
| Streath. | £60: 14: 11 |
| Newington | £36: 14: 8 |
| Kingston | £45: 6: — |
| Lond$^{o}$ Derry | £68: 3: 10½ |
| Gospert | £16: —: 4 |
| | £1000 |

Rich$^{d}$ Wibird Nath$^{l}$ Weare
H. Sherburne, Barth Thing

In the House of Represen$^{t}$ June 1, 1728

Voted The above return of the Com'itte be accepted and that an act be drawn up accordingly.

Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

[P. 478.] The following allowance pass'd in The House of Represen$^{t}$ June 1$^{st}$ 1728:

| | |
|---|---|
| To the Postmaster for the year 1728 Publick postage | £3: —: — |
| Eleaz$^{r}$ Russel for paper &c. for Publick use | £6: 15: 6 |
| John Newmarch for repairing The fort boat | £5: 14: 3 |
| Tim$^{o}$ Davis for further Satisfaction for his Whale boat | £1: —: — |
| John Frost Esq for sundrys for the Fort ab$^{t}$ y$^{e}$ flag &c. | £6: —: — |

By Mr. Jennis the following vote

In the House of Represen$^{t}$ June 1$^{st}$ 1728

Voted That There be signed off by the Comitte for Signing the Bills last printed and put into the Treasury the sum of three hundred pounds for the payment of the Sundry Debts and charges of the Province that is and may be allow'd by the Gen$^{l}$ assem.

Jam$^{s}$ Jeffry Cler assem.

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

A Message to the Board by Mess$^{rs}$ Pierce, Dennet and Stevens.

In The House of Represen$^{t}$ June 1$^{st}$ 1728.

Whereas His Hon The Lt. Gov$^{r}$ hath had the Goverment as Command$^{r}$ In Cheif stil continued upon him Voted That There be paid to His Hon$^{r}$ the Lieut Gov$^{r}$ and he is presented with the same the sum of one hundred pounds out of the Excise, and that he is desired to Issue out warrants for the paym$^{t}$ of what is already allow'd

Jam$^{s}$ Jeffry Cler assem

In Coun Eod die

Read and Concurr'd R. Waldron Cler Con

The House of Represen$^{t}$ being sent for to the Board by the Clerk they came and a Bill Entituled

" An Act for Establishing the Proportion of the
" Several Towns to be paid in the Province Tax
" for y$^{e}$ year 1728."

Having had Its Several readings and been pass'd in both Houses The same was Sign'd and Seal'd In presence of y$^{e}$ Gen$^{l}$ assem which was Then

Prorogued
Til y$^{e}$ 2$^{d}$ Tuesday in Nov$^{r}$ next

Nov$^{r}$ 4, 1728 Further Prorogued by Gov$^{r}$ Burnet's Proclamation
Til the 22$^{d}$ April 1829.

# JOURNAL

OF THE

# HOUSE OF REPRESENTATIVES.

## 1722-1724.

The "Journal of the House" which follows from April 30th 1722, to November 19th 1724, is copied from a MS. volume in the Secretary's office, Concord, labeled "Journal of the House, 1711—1724." The pages in the margin correspond with the paging of the MS. volume. Ed.

[p. 310.] Province of New Hamp. } April ye 30th 1722 the house met according to adjournmt viz.

Mr. Speaker Pierce
Coll Peter Weare
Coll James Davis
Mr. Eaphraim Dennit
Mr. John Dam.

The House adjourned to tuesday May the first.

Tuesday may ye first 1722 the house met according to adjournment, viz:

Mr. Speaker Pierce

Coll Peter Weare
Coll James Davis
Jotham Odihorn Esq
Capt Andrew Wiggans
Maj John Gillman
Capt Danll Greenough
Mr. Eaphraim Denet
Mr. John Dam
Mr. Justic Eastman.

The house adjourned for an houre & halfe

The house met according to adjournment all as above.

Recd a Certificate from Mr. Sherrif Gambling of Impressing a man.

A message from his Excellency to speak with the house. the house went up accordingly: and soone returned.

A Paper presented to the Lower house that it is the Desier of the Good subjects of this Province y^t y^e p'sent assembly may be disolved and y^t y^e late act of Impost & Export be repealed.

*His Excellencys Speech.*

[See Journal of Assembly, pp. 23, 24.]

[P. 311.] In Council Voted: That a committee of both houses be appointed to consider of a Propper fund & method for bringing into the Treasury all such moneys as have hitherto been postponed, and also to make an estimate of the charges of the Government, which have arisen since his Maj^ties^ prohibiting the striking Bills of Credit &c.

And further to consider what sum is necessary to be now struck & emitted to pay y^e present Debts: and to Lodge in the Treasury for Defraying y^e Contingent charges of the goverment, and that Mark Hunking, George Jaffrey & Richard Wibird Esq. be of the comittee from this Board for the service above—May y^e 1^st^ 1722.

Richard Waldron Cler. Con

May y^e 2^d^ in y^e house of Representatives.
read & concurred. Jas. Jeffry, clcr. Ass^m^

*Memorial of the House to his Excellency.*

[See Journal of Assembly, pp. 24, 25.]

[P. 312.] Then the house adjourned for an houre and halfe which is the same adjournment entred before.

Tuesday after noon the house met according to adjournment all as above.

In the house of Representatives voted y^t y^e above memoriall be sent up.

In the house of Representatives.

Voted. That the act of the 15^th^ July 1721 be so far as it relates to the Duties of Export on Boardes & fish and the Impost on wine & rum be Repealed.

James Jeffry Cler. Asm.

Sent up for concurrance.

Voted. y^t Mr. Speaker Pierce & Maj Gillman be a comittee of this house to waite on his Excellencie for an answer to the Ipswich Conference relating to the act of Duties between y^e Provinces.

The house adjourned to Wednesday y^e 2^d^ May A. M.

May y^e 2^d 1722, the house met according to adjournment.

Mr. Speaker Pierce

| | |
|---|---|
| Coll Peter Weare | Samuell Estman Esq. |
| Coll James Davis | Capt Dan^ll Greenough |
| Maj John Gillman | Mr. Eaphr. Dennit |
| Jotham Odihorn Esq. | John Dam |
| | Capt John Gillman |
| | Capt Samuel Tibbets. |

Wednesday May y^e 2^d 1722.

The house adjourned till two a clock, P. M.

[P. 313.] Wednesday May y^e 2^d 1722 Post M^o

The house met according to adjournment all as above.

In the house of Representatives.

The vote to Repeale the Impost act sent up again.

In the house of Representatives.

Voted, that Maj John Gillman, Andrew Wiggans Esq & Coll James Davis, be a comittee of this house to joyn with the comittee of the upper house according to theire vote of May ye 1^st 1722, for bringing into the Treasury all postponed Money & an estimate of charges arrisen since his maj^ties Prohibition for striking bills of credit & to Consider what sum is necessary to be now struck & emitted to pay the present Debts & to Lodge in the Treasury for the contingent charges of the governm^t

James Jeffry Cler. Ass^m

Then the house adjourned to thursday eight o'clock A. M.

---

Thursday May y^e 3^d A. M.

The house met according to adjournment

Present Mr. Speaker Pierce.

| | |
|---|---|
| L^t Coll James Davis | Samuell Estman Esq. |
| L^t Coll Peter Weare | Capt Samuell Tibbets |
| Jotham Odihorn Esq. | Capt Daniell Greenough |
| Maj John Gillman | Capt John Gillman |
| Andrew Wiggans Esq. | Mr. Eaph^r Dennit. |

In the house of Representatives.

Voted y^t y^e act of this Province of the 15^th July 1721 so far as it relates to the Duties of Export & Impost be sus-

pended untill the Prov. of the Mass$^{a}$ put theire act of export & Impost in force relating to this Province. May y$^{e}$ 3$^{d}$ 1722.

Jas Jeffry, cler. Ass$^{m}$

Eod$^{m}$ Die. In Council Read & concur$^{d}$

Rich$^{d}$ Waldron, cler. Con.

[P. 314.] Thursday May y$^{e}$ 3$^{d}$ A. M. 1722.

The house adjourned tili two o'clock P. M.

Thursday May y$^{e}$ 3$^{d}$ P. M. the house met according to adjournment all as above.

May y$^{e}$ 3$^{d}$ 1722. In the house of Representatives.

Voted. That the souldiers in the late expedition to the Eastward be paid according to the Direction of this house.

Then the house adjourned to fryday y$^{e}$ 4$^{th}$ of May at eight o'clock A. M.

---

Fryday May y$^{e}$ 4$^{th}$ A. M. the house met according to the adjournment.

Mr. Speaker Pierce

| | | |
|---|---|---|
| Peter Weare Esq | | Samuell Estman Esq. |
| James Davis | | Capt Samuell Tibbets |
| Jotham Odihorn | Esqrs | Capt John Gillman |
| John Gillman | | Mr. Eaph$^{r}$ Dennit. |
| Andrew Wiggans | | |

[See journal of assembly, p. 31.]

May ye 4$^{th}$ 1722 Objections in the house of Representatives ag$^{t}$ y$^{e}$ acc$^{ts}$ &c returned by the Auditors (viz)

[P. 315.] 1$^{st}$ Article not to allow Capt Penhallow y$^{e}$ 20 lb. £20 : — : —

2$^{d}$ and to allow but 24$^{s}$ pr month to each centinell

3$^{d}$ to allow L$^{t}$ Lad four pounds pr month

4$^{th}$ the Doctor allowed thirty five pounds one shilling

5$^{th}$ the Deserters not to be paid any wages.

The names of the Deserters viz.

| | |
|---|---|
| Moses Gatchell y$^{e}$ sums charged | £11 : 18 : 3 |
| William Powell Returned | £9 : 18 : 6 |
| Samuell Malloone Returned | £9 : 18 : 6 |
| John Kenistone | £9 : 18 : 6 |
| George Goodin, Daniell Jacobs, Ben Davis | £6 : 6 : |
| Richard Rand, Dan$^{ll}$ Emerson & John Dorkam Sen$^{r}$ | £3 : 19 : 4 |
| Benj. Judkins | 9 : 18 : 6 |
| | 61 : 17 : 7 |

In the house of Representatives may y^e^ 4^th^ 1722.

Resolved y^t^ y^e^ Muster Roles be made up according to this List above—& Lad but 3 lb pr month.

Mr. Penhallow five pounds.

Sundry accts bro^t^ in since the auditors return viz.

| | |
|---|---|
| Thos Packer Esq. | £19 : 10 : |
| Lt Governour Wentworths acc^t^ allowed | £12 : 12 : 7 |
| Axwell Roberts not allowed | |
| Benj Akarman allowed being paid 40^s^ | |
| Benj Gambling allowed | £30 : : |

May y^e^ 4^th^ 1722. In the house of Representatives.

Voted y^t^ y^e^ above accounts be allowed.

Jas. Jeffry clerk ass^m^

[P. 316.] May y^e^ 4^th^ 1722.

| | |
|---|---|
| Allowed Mr. Penhallow powder 6 lb wine £6 at Cambridge | £3 : 15 : |
| Capt Moodyes muster Role allowed | £64 : 17 : |
| Capt Penhallows muster Role with y^e^ Doctors in it | £193 : 16 : 8 |
| To Capt Penhallow himselfe for care &c to y^e^ sould^rs^ | £10 : : |

Voted, may y^e^ 4^th^ the above allowed

James Jeffry Cler ass^m^

---

May y^e^ 4^th^ 1722. The house adjourned till two o'clock P. M.

Friday May y^e^ 4^th^ 1722 P. M. the house met accord. to adjournm^t^. Voted that Capt John Penhallow be presented w^th^ ten pounds for his care & kindness to our souldiers as allowed above

Eod^m^ Die. Voted that the souldiers shall have but twenty four shillings pr month.

Eod^m^ Die Voted—

That all those that Deserted the service tho' some of them returned yet shall wholly lose theire pay.

Eod^m^ Die Voted—

That the Return of the Auditors Dated May y^e^ 2^d^ be accepted as Returned (except Capt Penhallows Muster Role and Capt Moodyes Muster Role, which are as the New Muster Rols Given in: and the ten pounds above to Capt Penhallow

and that what is entred in theire muster Rols (as Drawn up by our clerk) ag$^{t}$ the severall names is in full Discharge thereof.

Eod$^{m}$ Die Voted—

That from henceforth all expresses y$^{t}$ shall be Imprest to go any where within this Province shall be allowed and paid by y$^{e}$ Treasury on certificate of his performance thereof six pence pr mile & eight pence pr mile to any place out of y$^{e}$ Province for going out for himselfe & horse & that all ferrys carry them free.

Jas. Jeffry Cler Ass$^{m}$

Then the house adjourned to Saturday May y$^{e}$ 5$^{th}$ 1722 A. M.

---

[P. 317.] Sathurday May the 5$^{th}$ 1722 A. M. The house met according to adjournment.

Present

Mr. Speaker Pierce

| | | |
|---|---|---|
| Peter Weare | Esqrs | Samuell Estman Esq |
| James Davis | | Capt Samuell Tibbets |
| John Gillman | | Capt Dan$^{ll}$ Greenough |
| Jotham Odihorn | | Mr. Eaphr$^{m}$ Dennit |
| Andrew Wiggans | | |

Ordered that there be an order sent by y$^{e}$ clerk of this house to the select men of Hampton to pay Isaac Green what was allowed him

Eod$^{m}$ Die: Axwell Roberts prayer of allowance of his accts of three pounds twelve shillings for entertaining the Indians hostages.

In the house of Representatives—

Resolved that it is the opinion of this house y$^{t}$ y$^{e}$ Prov. of the Massachusetts ought to pay it.

Jas. Jeffry, Cler Ass$^{m}$

Eod$^{m}$ Die. Voted

That a certaine number of men be forthwith employed to cutt high wayes: one from Dover to Winnipissokee Pond and another from Exeter to the same pond, and that Maj. John Gillman, Coll Jas. Davis, Edw$^{d}$ Hall & Capt Jo$^{n}$ Gillman, Capt Sam$^{ll}$ Tibbets & Capt Tim$^{o}$ Gerrish, be a committee to survey & mark s$^{d}$ wayes and make report to this house.

Eod^m Die. Resolved y^t Mr. Treasurer Penhallow be allowed a further addition to his account (as before) the sume of six pounds for ½ barrell powder: and six pounds more for a cask of wine: & three pounds for his expenses at Cambridge these being three articles submitted to the house by the Auditors.

Jas. Jaffry cler Ass^m

Then the house adjourned to Munday May y^e 7^th 1722 A. M.

---

[P. 318] Munday May y^e 7^th 1722, A. M.

The house met according to adjournment. Present

Mr. Speaker Pierce

| | | |
|---|---|---|
| James Davis | Esqrs. | Capt John Gilman |
| Jotham Odiorn | | Capt Samuell Tibbets |
| John Gilman | | Capt Dan^ll Greenough |
| Andrew Wiggans | | Mr. Eaphr^a Dennit |

One Bill Bro^t Down for an Act to alter y^e two Sup^r Courts &c. & the return of the comittee for y^e money and contingent charges.

[See journal of Assembly, p. 35.]

May the 7^th 1722 P. M. the house adjourned to tuesd May 8.

---

[P. 319.] Tuesday May y^e 8^th 1722 A. M. the house met accord. to adjournm^t

Present Mr Speaker Pierce.

| | | |
|---|---|---|
| Peter Weare | Esqrs | Capt John Gilman |
| James Davis | | Capt Sam^ll Tibbets |
| Jotham Odiorn | | Capt Daniell Greenough |
| Andrew Wiggans | | Mr. Eaphr. Dennit |
| John Gilman | | |

Pursuant to the votes of y^e Gen^ll Assembly of the first and 7^th instant wee have examined the State of the Province Debts &c.

And find there has been post pon'd and drawn out of the treasury that is now to be Provided for (the sume of £5284 pounds) by Repetition to be pd from y^e yeare 1724 to 1728. We find the debts contracted since the Kings order to Prohibit y^e striking Bills to amount £2256 : 16 : 4

of which is paid by Impost &c. 255

2001 : 16 : 4

And for payment of the accrewing charges y$^{t}$ will be Dew. viz.

| | |
|---|---|
| To his Excellency the Gov$^{r}$ | £200 : : |
| Repaire of the fort | £ 50 : : |
| Incidents | £550 : : |
| | 800 : : |
| | 2001 : 16 : 4 |
| | 2801 : 16 : 4 |

To be repaid into the Treasury, one halfe in y$^{e}$ 1729 & the other halfe in 1730 : in like Bills of credit or such navall stores and species as shall be agreed upon by y$^{e}$ Gen$^{l}$ Assembly to whom this Is submitted. pr

Mark Hunking
Geo. Jaffrey
Rich$^{d}$ Wibird
James Davis
John Gillman
Andrew Wiggan

[p. 320.] May the 8$^{th}$ 1722. The house of Representatives having considered the Report of the above comittee accept and concur to the same.

Jas. Jeffry Cler Ass$^{m}$

Then the house adjourned to three o'clock p. m.

May y$^{e}$ 8$^{th}$ p. m. The house met according to the adjournment all as above.

May y$^{e}$ 8$^{th}$ 1722. The house adjourned to Wednesday 9$^{th}$ eight of the clock a. m.

---

Wednesday May y$^{e}$ ninth a. m. The house met according to adjournment. The Clerk having leave to be absent Mr. Daniell Greenough was chosen clerk Pr tempore.

Present Mr. Speaker Pierce.

Peter Weare, James Davis, Jotham Odiorn, John Gillman, Esqrs
Capt John Gillman
Capt Sam$^{ll}$ Tibbetts
Capt Daniell Greenough
Andrew Wiggans
Mr. Eaphr. Dennit.

[See Journal of Assembly, p. 36.]

Eod$^{m}$ Die. Voted—

That Mr. Agent Newman be presented with £100 out of y$^{e}$ £200 voted to be Impressed

Dan$^{ll}$ Greenough Cler Pro.

[p. 321.] Then the house adjourned till two oclock p. m.

Wednesday May y^e^ ninth P. M. The house met according to adjournment, all present as in the morning.

The Petition of Coll Walton being read relating to a comiss^n^ at the Eastward considered and allowed five pounds to be pd him out of the Publick Treasury for Discharge of his sd. service at the Eastward as set forth in his Petition.

Voted Mr Speaker Pierce, Coll James Davis, Coll Peter Weare, be a comittee to joyn such as may be chose in the upper house for the Preparing a Bill relating to the strikeing Bills of credit & signing the same.

Then the house adjourned to Thursday May y^e^ 10^th^ A. M.

---

Thursday May y^e^ 10, 1722 A. M.

The house met accord to adjournm^t^.

Present Mr. Speaker Pierce

| | | |
|---|---|---|
| Peter Weare<br>James Davis<br>Jotham Odihorn<br>Andrew Wiggans | Esqrs | John Gillman Esq.<br>Capt John Gillman<br>Capt Samuell Tibbets<br>Capt Dan^ll^ Greenough<br>Mr Eaphr^a^ Dennit |

In the house of Represen^t^

Voted that a comittee of both houses be chosen to Desier our agent Mr Newman to give us advice w^t^ proper steps to be used in order to obtaine y^e^ Royall assent for striking Bills of Credit in this Province for y^e^ encouragm^t^ of Raising Navall Stores

Capt Odiorn, Maj Gillman & Capt Wiggans Esqrs a Comtt. from y^e^ house for y^t^ end.

D. G. C. Protempo.

And then the house adjourned till two o'clock P. M.

Thursday May y^e^ 10^th^ 1722.

[P. 322.] The house met according to adjourn.—all present as in the morning.

Eod^m^ Die. Whereas the Reverend Mr. Nathaniel Rodgers some time since took up £150 of the £1500 and he hath now returned s^d^ money to the Assembly,

Voted—

That the said hundred & fifty pounds be Let out upon good security at 6 pr cent by Mr. Speaker Pierce & Mr. Eph^r^ Dennit.

Dan^ll^ Green^e^ Cler. p tem.

Eod$^{m}$ Die. In the house of Representatives.

Voted—That his Exellencie be presented with an £100 to be paid him out of the Publick Treasury.

Dan$^{ll}$ Green$^{o}$ Cler Pro tem.

Eod$^{m}$ Die. It is y$^{e}$ opinion of the house of Representatives that his Excellcie be reminded of Disolving the present Assembly.

Dan$^{ll}$ Green$^{o}$ Cler. Pro$^{tem}$

Then the house adjourned to fryday May y$^{e}$ 11$^{th}$ A. M.

---

Fryday May y$^{e}$ 11$^{th}$ 1722 A. M. the house met according to adjournment.

Present

Mr. Speaker Pierce

| | | |
|---|---|---|
| Peter Weare | | |
| James Davis | | Capt John Gillman |
| Jotham Odiorn | Esqrs. | Capt Sam$^{ll}$ Tibbets |
| John Gillman | | Capt Dan$^{ll}$ Green$^{o}$ |
| Andrew Wiggans | | Mr. Eaphraim Dennit |

[P. 323.] May y$^{e}$ 11$^{th}$ 1722. In the house of Representatives.

Voted, that Maj. John Gillman, Capt John Gillman Coll Jas. Davis, Capt Sam$^{ll}$ Tibbet, Capt Tim$^{o}$ Gerrish & Mr. Edw$^{d}$ Hall be a comittee to survey & Cutt two High wayes from the heads of the Towns to Winipissiokee Pond and to be p$^{d}$ the charge out of the Publick Treasury.

Dan$^{ll}$ Green$^{o}$ Cler Pr$^{tm}$

Sent up for concurrence

Non concurd.

Eod$^{m}$ Die. Voted

That the Plates for Impressing y$^{e}$ Bills of Credit be left in the hands of Mr. Speaker Pierce.

In Councill

Voted. That L$^{t}$ Coll James Davis Maj John Gillman & Capt Tim$^{o}$ Gerrish be a comittee to survey and find out y$^{e}$ most commodius high way to Winipissiokee pond and Report the same with an estimate of the charge y$^{t}$ will attend it to y$^{e}$ Governour and Councill within six weeks & that they be paid for the same out of the Treasury.

May y$^{e}$ 11$^{th}$ 1722.

Rich$^{d}$ Waldron Cler. Con.

In the house of Representatives
May y^e^ 11^th^ 1722. Read and concur'd

Daniell Green^o^ Cler Pt^m^

May ye 11^th^ 1722. In Councill.

Voted y^t^ no swine shall goe at Large in that p^t^ of Portsmouth which lies to the north east ward of a straight line which shall run from Edw^d^ Cates house to the head of the Creek at Islington under y^e^ Penalty of 10^s^ fine. One halfe to the Inform^r^ the other halfe to y^e^ Poore of s^d^ Town.

Rich^d^ Waldron Cler. Con.

Eod^m^ Die. In the house of Representatives Read & Concurred.

Dan^ll^ Green^o^ Cler. pro tem.

[P. 324.] fryday May y^e^ 11^th^ 1722.

The house was sent for up by his Excellency Gov^r^ Shute and Prorouged to the first Tuesday in August next.

Dan^ll^ Green^o^ Cler. Pt^m^

Memorandum Maj. John Gillman took out his Debent^r^ from y^e^ 20^th^ of July 1721 to the 11^th^ May 1722.

Dan^ll^ Green^o^ Cler. Pt^m^

Capt John Gillman for his to the same time

D^l^ Test. D G.

---

June 25^th^ 1722, the house met by speciall order of the L^t^ Governour.

Present

Mr. Speaker Pierce

| | | |
|---|---|---|
| Peter Weare | Esqrs | Capt John Gillman |
| James Davis | | Capt Sam^ll^ Tibbets |
| Jotham Odihorn | | Capt Dan^ll^ Green^o^ |
| Andrew Wiggans | | Mr Eaph^r^ Dennit |
| John Gillman | | Mr. John Dam |

The L^t^ Gov. Sent for the house to the Councill Chamber and there made a verball speech: Relating to pressing men to be sent to the eastward into the Province of Maine.

Eod^m^ Die In the house of Representatives.

Resolved that no souldiers that is or may be Impressed in this Province be subsisted & paid by this Government for any service eastward unless in time of warr consented to by this Goverment and upon expeditions to the enemies head Quarters.

James Jeffry Cler. Ass^m^

[p. 325.] June 28th 1722. In the house of Represen$^{t}$ Voted—

That his Excellency be Desiered y$^{t}$ ye men now Impressed may be Imployed in scouting within this Province and in cutting the Road to Winipissiokee Pond from Dover as lately surveyed & y$^{t}$ ye Treasurer suply them with provisions and amunition, and that no sons under age or servants be admitted to take up any of theire wages without theire Parent or masters consent. James Jeffry Cler. Ass$^{m}$

The house was sent for up to the Councill Chamber and there by order from the Gov. the L$^{t}$ Govern$^{r}$ Dissolv$^{d}$ them.

Mr. Speaker Pierce took out his Debenture from X$^{r}$ ye 2$^{d}$ 1721, to this Day being 27 dayes in all.

J. J. Cler Ass$^{m}$

Assembly Dissolved.

Mr. John Dam Took out his Debenture for 17 Dayes in full.

---

[p. 326.] July 2$^{d}$ 1722. A Generall Assembly call$^{d}$

The Representatives returned for the severall Towns for this Province of New Hampshire to serve in Generall Assembly for s$^{d}$ Province—are

for Portsm$^{o}$, John Plaisted, Eaphraim Dennit and W$^{m}$ Fellows.
for Hampton, John Redman John Sandburn & for ye falls Peter Weare Esq.
For Exeter, John Gillman Esq. & Capt. John Gillman.
for Stretham, Andrew Wiggans Esq.
for Newington, Capt John Downing
For New Castle, Jotham Odiorn Esq. & Theodore Atkinson.
For Kingston, Samuell Eastman.

Samuell Penhallow Esq & George Jaffry Esq accompanyed by y$^{e}$ clerk of the Councill, were sent down to adm$^{r}$ the oath according to act of Parliament which was Don & signed to by all above named.

And y$^{n}$ the house was sent for up to the councill chamber & Desired to Repaire to theire house and make choice of a Speaker.

The Representatives for Dover not being come the house deferr$^{d}$ chuseing for an houre or two. Dover Represent$^{s}$ not coming and growing late the house proceeded to y$^{e}$ choice of a speaker.

And Coll Peter Weare was chosen speaker by majority of votes in writing.

Two persons were sent up to the Board to signifie they had chosen a speaker.

The house being sent for up they presented Mr. Wyer as theire speaker who was well accepted.

And then the Lif$^{t}$ Governour Prorouged the Gen$^{ll}$ Assembly to the first tuesday in August next.

Cap$^{t}$ Samuell Tibbets & Capt$^{t}$ Tim$^{o}$ Gerrish for Dover appeared y$^{e}$ same Day, & Coll James Davis for the same place next Day.

---

[P. 327.] Tuesday August 7$^{th}$ 1722.

The Assembly met according to Prorogation.

P'sent

M$^{r}$ Speaker Weare.

| | | |
|---|---|---|
| Coll James Davis | | Cap$^{t}$ John Downing |
| Jotham Odihorn | | M$^{r}$ John Redman |
| Andrew Wiggans | | M$^{r}$ Wm Fellows |
| Samuell Eastman | Esqrs. | M$^{r}$ John Sandburn |
| Cap$^{t}$ Sam$^{l}$ Tibbets | | M$^{r}$ Eaphraim Denit |
| Cap$^{t}$ Tim$^{o}$ Gerrish | | M$^{r}$ Theo Atkinson |
| Cap$^{t}$ John Gilman | | |

And the house was prorou$^{d}$ to Wednesday Aug$^{t}$ 15$^{th}$ 1722.

Coll Davis took out his Debenture to y$^{e}$ 28$^{th}$ June 1722.

Cap$^{t}$ Andrew Wiggans took out his Debenture to the 28$^{th}$ June 1722.

Cap$^{t}$ Sam$^{ll}$ Tibbets took out his Debenture to y$^{e}$ 28$^{th}$ June 1722, 30 Dayes.

---

Wednesday Aug$^{t}$ 15 1722 the house met according to prorogation.

P'sent

M$^{r}$ Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Cap John Gilman |
| Jotham Odihorn | | John Downing |
| Sam$^{l}$ Eastman | Esqrs | M$^{r}$ John Redman |
| Andrew Wiggans | | John Sandburn |
| John Gilman | | Theo Atkinson |
| | | Cap$^{t}$ Wm Fellows |
| | | L$^{t}$ Eaph$^{r}$ Dennit |

The Clerk of the Councill came Down from y^e^ board with a Message from y^e^ L^t^ Gov^r^ &c for the house to come up.

The house went up accordingly.

The L^t^ Govern^r^ communicated a Letter to the house from his Excellence.

By Order from the house the former Orders of the house was read.

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[p. 328.] August 15^th^ 1722.

Voted, that the third parragraph (In the former orders of the house) &c be mended, viz. That no Member Speak twice, untill every one have libberty to Speak once to the matter or Cause in Question, Whether it be vote Resolve or Order Bill &c.

The L^t^ Govern^s^ Speech was Read & ordered to be coppied.

Then the house adjourned for two hours.

The L^t^ Govern^r^ Speech.

[See Journal Generall assembly, p. 46.]

[p. 329.] (Letters referred to.)

I rec^d^ yours of y^e^ 24 & 27 Ints. and have Since wrote to you by Cap^t^ Plaisted in which was inclosed a Declaration for Warr which I Question not you have made Publick by beat of Drum in his maj^ties^ Province of New Hampsh^r^ This affairr oblidges me to meet the Gen^l^ Assembly on y^e^ 8^th^ of the next month y^t^ so I may be enabled to Prosecute this warr which wee are forced into, with utmost vigor. It will be absolutely necessary also y^t^ you should meet the assembly in New Hampshire much about the same time y^t^ so y^r^ Province may Send theire Quota, wee having out already 600.

This you must press to them in the Mo$t Earnest Manner, for if we joyn heartily in this affaire, I hope through Gods blessing we Shall in a short time Drive these Barbarous Indians from amongst uss. all the News wee have from Great Brittaine is the Discovery of a New Plot of which at p'sent wee have not y^e^ Perticulars.

I am y^r^ humble Serv^t^

Sam'l Shute.

Boston July 30 1722.

[P. 330.] Wednesday August 15th P. M.

The house met according to adjournment

Present as in the morning

A message sent up to signify the three Dover Reprentª was Ready to be sworn and Qualified to sit.

Coll Packer & Richard Wibird Esqrs with the clerk of the Councill was sent Down to Quallify sd members which was don accordingly in the assembly.

Eodm Die—

Voted, That any member of this house that shall neglect to weare his sword or be found without it during the sessions of Genll assembly from this Day shall pay a fine of one shilling to the clerk of this house for ye use of the house and the fine to be Repeated as ofted as found without a sword.

Jas. Jaffry Cl. As.

Eodm Die.

Voted that James Jeffry be clerk of the assembly for the Province of New-Hampshire on the same establishment as formerly agreed for.

Jas Jeffrey Cler Assm

Eodm Die. Order of the house.

Voted

That every bill to be passed in this house be read three times, and that there be two adjournments of this house before any Bill pass.

This to be further considd off.

Then the house adjourned to nine of the clock Thursday ye 16. A. M.

---

Thursday August 16th 1722 A. M.

The house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| Coll John Plaisted | Esqrs | Capt John Downing |
| James Davis | | John Gillman |
| Jotham Odihorn | | Timo Gerrish |
| Andrew Wiggans | | Samll Tibbets |
| John Gillman | | Lt Eaphrª Denit |
| Samuell Eastman | | Mr. John Redman |

John Sandburn
Theo Atkinson
Wm Fellows.

[P. 332.] Thursday August y^e^ 16^th^ 1722. A. M.

In the house of Representatives.

Voted—

That Coll John Plaisted, Coll James Davis, Maj. John Gillman, Capt William Fellows & Capt Tim^o^ Gerrish be a comittee of this house to draw up an answer to the L^t^ Gov^rs^ speech, and present it to this house for acceptance.

James Jaffry Cler Ass^m^

Then the house adjourned for two hours P. M.

Thursday August 16 1722 P. M. the house met according to adjournment all present as in the morning.

The Govornours Letter of y^e^ 13^th^ was Bro^t^ Down to be comunicated to the house, which was read.

Sir,

The Government of the Massachusetts are Determined to take vigorous measures in the Warr wee are now entered into ag^t^ the Indian Rebels and I expect you will readyly joyn with them in this Important affaire. We are now forming an expedition against the Indians in which I will employ three hundred & thirty men besides the souldiers which will be left to guard the frontiers, you must therefore raise seventy good effective men at least to be an entire company to joyn with them. Let them be raised with all possible expedition and furnished with good arms and amunition. Send me the names of the Capt^s^ & Liu^t^ you think proper for this service and I will send their comss^ns^,

Communicate this to the Gen^ll^ assembly

Your serv^t^

SAM'L SHUTE.

August 13th 1722.

Eod^m^ Die

The comittee returned with an answer to the Liu^t^ Govern^rs^ Speech which was Read three times & Resolved in the house y^t^ it be sent up.

Jas. Jaffry Cler Ass^m^

Answer to Lt Gov^s^ speech

[See Journal of Assembly, p. 49]

Eod^m^ Die—

[P. 335.] A vote of the Councill sent down to chuse three of this house to joyn with three of the upper house to consider the Gov^rs^ Letter of the 13^th^ inst and make Report thereon.

Then the house adjourned to friday y^e^ 17^th^ A. M.

Friday August y^e^ 17^th^ 1722.

Friday August y^e^ 17^th^ 1722 A. M.

the house met according to adjournment.

P'sent M^r^ Speaker Weare.

| | | |
|---|---|---|
| Coll John Plaisted | | Cap^t^ John Gillman |
| Jas Davis | | Sam^ll^ Tibbets |
| Jotham Odiorn | | W^m^ Fellows |
| Andrew Wiggans | Esqrs | John Downing |
| John Gilman | | Mr. John Redman |
| Sam^ll^ Eastman | | John Sandburn |
| Cap^t^ Tim^o^ Gerrish | | Theo Atkinson |
| | | Eaphr^a^ Dennit |

Coll James Davis & Capt Tim^o^ Gerrish &c Bro^t^ in theire acct for paym^t^ of theire service in surveying the Rhoad to Winipisiokee Pond.

Voted y^e^ acc^t^ allowed to the sume of £13 & concurd at y^e^ upper house. Eod^m^ Die.

A vote Bro^t^ Down from the house for chusing three men of each house to be a comittee of War for the Disposition of the men of the Province to joyn with the comander in chief in y^e^ affaire which vote was read & being put to vote whether such a comittee should be chosen or not. It past in the negative.

[P. 336] Friday August 17^th^ 1722 A. M.

In Councill August 17^th^ 1722.

Voted—That one of the house be joyned with one of this Board to waite on his Excellencie with the answer the House to his Excellencies Letter & the L^t^ Govern^rs^ speech & discorse him thereon.

Rich^d^ Waldron Cler Con

Eod^m^ Die. In the house of Representatives

Read and concurd

[P. 337.] The house adjourned for two hours P. M.

The house met according to adjournment present as in the morning.

James Jaffry was sworn clerk of this house whose oath as followeth viz.

You James Jaffry Do sweare y^t^ you will faithfully Discharge y^e^ office and Duty of clerk of this house according to your best skill & knowledge, and to make true entries of all orders Resolves & Votes of this house in due place & form according to Direction and need may require.

A message from the Board to form Instructions for y^e^ Gen^t^ to be sent the Govern^r^

Fryday August 17, 1722.

[p. 338.] In the house of Representatives.

Voted.

That a comittee of this house be chosen to joyn with a comittee of the upper house to draw up Instructions for those Gen^t^ that are to waite on his Excellencie according to our vote in the morning and to Lay y^e^ same before the Gen^ll^ Assembly for theire approbation.

Jas Jeffry Cler. Ass^m^

Sent up for concurrence.

Eod^m^ Die. In Councill Read & concurd & voted y^t^ Coll Mark Hunking George Jaffry & Richard Wibird Esq. be of the comittee from y^e^ board to joyn w^th^ soe many of y^e^ house for y^e^ service above.

Rich^d^ Waldron Cler. Con

Eod^m^ Die. In the house of Representatives

Voted. That Andrew Wiggans Esq. Capt. W^m^ Fellows & Mr Theo Atkinson be of y^e^ comittee of this house for y^e^ s^d^ service.

Jas Jeffry Cler Ass^m^

Eod^m^ Die. Capt Daniell Greenough preferd a petition to to this house

Eod^m^ Die. A vote of this house in X^r^ 1721 relating to Isaac Green of Hampton, relating to his Imprisonm^t^ at Newbury on acc^t^ of Rates was read.

In the house of Representatives.

Voted. y^t^ y^e^ s^d^ Isaac Green have the allowance then given him and y^t^ the select men of the Town of Hampton make an assesment for y^e^ same on s^d^ Town.

Jas Jeffry Cler. Ass^m^

[p. 339.] Fryday August y^e^ 17, 1722, p. m.

Benj^a^ Akarman Petitioned this assembly for an allowance of seven pounds for his service in y^e^ yeare 1721.

Eod^m^ Die— In the house of Representatives

Voted. it be allowed and paid him out of ye Treasury

Jas Jaffry Cler Ass^m^

A message from the Board that Green and Akarmans voats are concured with.

Then the house adjourned to Sathurday August 18^th^ a. m. nine o'clock.

Sathurday August 18th 1722 A. M. the house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| Coll John Plaisted | | |
| Jas Davis | } Esqrs | Capt John Downing |
| Jotham Odiorn | | Samll Tibbets |
| Andrew Wiggans | | Timo Gerrish |
| John Gillman | | Wm Fellows |
| Samll Eastman | | John Gillman |
| | | Mr. Eaphra Dennit |
| | | John Redman |
| | | John Sandburn |
| | | Theo Atkinson |

In the house of Representatives.

Voted, That all privat centinells Imprest in this Province shall have forty shillings pr month wages for theire service Don in this Province for two years next ensueing.

Jas Jeffry Cler Assem

Samuell Eastman Esq took out his Debenture from ye 20th June 1721 to this Day for 27 Days.

Eodm Die. Upon Reading ye vote relating to Isac Green, Mr John Redman enters his Descent agt it.

[P. 340.] Saturday August 18th 1722 A. M. In the house of Representatives.

Resolved that ye hearty thanks of this house be given to the honble the Lt Govr for his good care of the Province in Providing and keeping out scouts & in viewing & taking care of the out Garrisons and humbly prays his honr to continue the like good care. And that Coll James Davis Samuell Estman Majr John Gillman Esq & Capt Timo Gerrish be a commitee to present this vote and the thanks of the house.

Jas Jeffry Cler Assm

Eodm Die. The comittee for Drawing up ye instructions for ye Gent that are to waite upon ye Governr according to the vote yesterday made theire return which was read & amended and sent up for concurrence.

Jas. Jeffry Assm

Eodm Die. Ye same Bro't Down againe and nonconcur'd

with and another voate Bro$^{t}$ Down from y$^{e}$ Board relating to the same business, was read and concurd w$^{th}$.

[See Journal of Assembly, p. 52.]

August y$^{e}$ 18$^{th}$ 1722.

[P. 342.] The L$^{t}$ Gov$^{r}$ sent for the house up to the Bord.

Mr Speaker and the house went up accordingly: and was Prorouged to Wednesday the 29$^{th}$ inst.

---

Wednesday y$^{e}$ 29$^{th}$ August the house met according to adjournment.

P'sent Mr Speaker Weare.

| | | |
|---|---|---|
| Coll John Plaisted | | Capt William Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | Esqrs | John Gillman |
| Andrew Wiggans | | Tim$^{o}$ Gerrish |
| Sam$^{ll}$ Eastman | | Sam$^{ll}$ Tibbets |
| John Gillman | | Mr John Redman |
| | | John Sandburn |
| | | Eaphr$^{a}$ Dennit |
| | | Theo Atkinson |

A message by y$^{e}$ cler con. that his hon$^{r}$ y$^{e}$ L$^{t}$ Governor Directs this hon$^{ble}$ house to attend him in the Councill Chamber.

Mr Speaker & the house went up accordingly.

The L$^{t}$ Gov$^{r}$ made a speech to them and then return'd to the house againe.

And the clerk the clerk con. Bro$^{t}$ Down the speech in writing: viz,

[See Journal of Assembly, p. 54.]

Mr Geo Jaffrey was sent Down with the Gov$^{rs}$ letter and Read it. The substance whereof was y$^{t}$ the Gov$^{r}$ expected our Quota ready to ship on Board Mr Prats vessell now bound to the Eastward & Provisions &c.

A Petition of the Representatives of the Town of Dover in Behalfe of said Town Relating to theire Gramer Schoole was Bro$^{t}$ Down from the board with a vote on it past there the Petition was read in the house and ordered to ly under consideration. Then the house adjourned to thursday, August 30$^{th}$

Thursday August y^e^ 30^th^ A. M.

The house met according to adjournment.

P'sent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | John Gillman |
| Jotham Odiorn | | Sam^ll^ Tibbets |
| Samuell Eastman | | Tim^o^ Gerrish |
| Andrew Wiggans | | W^m^ Fellows |
| John Gillman | | Mr John Redman |
| | | John Sandburn |
| | | Eaph^r^ Dennit |
| | | Theo Atkinson |

Voted, that a bill be drawn up for encouragment of Vollun^ts^ & Souldiers of this Province ag^t^ the Indian Ennemy, & that a Comittee of this house be Chosen to Joyn with a Comittee of the upper house for Drawing up a Bill accordingly.

Sent up for Concurrence.

August 30, 1722

[P. 344.] August ye 30^th^ A. M.

The Dover Petition was Read & Concurred with, Provided they keep a Schoole for writeing & arithmetick; & Sent up.

A letter was Read from his Exilencie, Expecting 50 Souldiers & officers, and that the Treasurer be ordered to Supply with Provisions for y^e^ Eastward.

Resolved, that no men be supported by this Government in the Eastern Country, for the Reasons Rendered in the Answer to the hon^ble^ the Liu^t^ Gover^s^ Speech to this house Aug^t^ 17, 1722.

A Petition of Daniell Greenough & others ag^t^ Jotham Odiorn Esq, was Read in the house. The Question being put whether the Petitioners should be heard upon theire Petition or not. It past in the affirmative, to be heard the Second day of the Sitting of the next Sessions, and that y^e^ Clerk of the Assembly Notify y^e^ p'sons concerned accordingly.

Then the house adjourned for two hours.

Thursday August 30, P. M.

the house met according to adjournment. A vote Bro^t^ Down from y^e^ Board.

In Councill August y^e^ 30^th^ 1722.

Voted, That a Block house be forthwith Built at Winipishokee Pond, at such place and in such form as a Com-

ittee to be appointed for y^t^ End shall Direct, for the Annoyance of the Indian Enemy in those parts. And that a Comittee of both houses be appointed to make an estimate of the Charge in order to have the Same allowed, and Voted which Comittee for makeing the estimate on the part of the Board are Coll. Hunking & Coll Walton.

R. W. Cle. Con.

Eod^m^ Die. In the house of Represent. Read & Concurred with, and Voted, that Coll. James Davis & Cap^t^ Tim^o^ Gerrish be a Comittee of this house to Joyn with the above Comittee for the end aboves^d^

J J C As^m^

[P. 345.] August 30^th^ 1722.

The Vote for encouragement of Volluntiers & Souldiers &c. Came Down Concurred with, and that George Jaffrey & Richard Wibird Esq^rs^ appointed from the Board to Draw up a Bill accordingly.

Eod. Die. In the house of Representatives.

Voted. That Cap^t^ William Fellows & M^r^ Theodore Atkinson be of the Comittee from this house to Joyn with the above Comittee for the end aboves^d^

Then the house adjourned to fryday y^e^ 31, August, A. M.

---

Fryday August 31^st^ 1722 A. M.

The house met according to adjournm^t^

Present, Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Cap^t^ John Downing |
| James Davis | | John Gillman |
| Jotham Odiorn | | W^m^ Fellows |
| Andrew Wiggans | | Tim^o^ Gerrish |
| John Gilman | | Sam^ll^ Tibbets |
| Sam^ll^ Eastman | | M^r^ John Redman |
| | | Theo. Atkinson |
| | | John Sandburn |
| | | Eaph^r^ Dennit. |

Eod^m^ Die. The act for Exempting the Town of Dover from y^e^ Penalty in y^e^ act Relating to Gramer Schooles read three times and past to be enacted. J J C A.

Eod^m^ Die. The Comittee for Estimateing the charge for Building a block house at Winipissiokee Pond made their Report.

That it would cost to build Said fort fifty foot Long and forty foot wide, fifteen foot without and Eight foot high within about £300.

Eod$^{m}$ Die. In the house.

The Question being put whether to build said Block house or not.

It past in the affirmative. J J C A.

[P. 346.] August 31, 1722.

In the house.

A Vote for the Millitary comission officers in y$^{e}$ Respective Towns within this Province be a comittee of Millitia for ordering all things referring to the Building and Letting of Garrisons and appointing the Inhabitants severally thereto &c.

Then the house adjourned for two hours.

Fryday August ye 31, 1722 P. M.

The house met according to adjournment all present. The Question being put whether the Ten pounds aded to Boston act for scalp money pass or not.

It past in the negative.

Then the house adjourned to Saturday 7$^{br}$ y$^{e}$ ist 1722 A. M.

---

Sathurday September the first A. M.

The house met according to adjournment

P'sent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | John Gilman |
| Jotham Odiorn | | Sam$^{ll}$ Tibbets |
| Samuell Eastman | | Tim$^{o}$ Gerrish |
| Andrew Wiggans | | W$^{m}$ Fellows |
| John Gillman | | Mr. John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Eap. Dennit |

Eod$^{m}$ Die.

The vote for the encouragement of Killing and Takeing Indians was Read & past nemini contradicente.

Eod$^{m}$ Die.

Voted that ye millitary comission officers in y$^{e}$ Respective Towns within this Province be a comittee of Millitia for ordering all things referring to the Building and setling garrisons.

Sent up for concurrence.

[p. 347.] Sathurday 7r the first 1722.

In the house, &c.

Voted that the Report of the Comittee for Building a Block house at Winisiokee Pond be accepted with this amendment That the sd Block house or fort be built fifty foot square, and that the comander in cheife be desiered to Provide one hundred & fifty men at Least for yt service including the Laborers. And yt it be begun as soone as conveniently may be, and yt ye Treasurer supply the men accordingly.

J J C. Asm

A Message from the Board By Mr Treasurr Geo Jaffry & Richard Wibird Esq. signifying that what was ordered for suply into the Treasury is expended and that a further order for subsisting be taken into consideration

In the house &c.

Voted, That foure hundred pounds be paid the Treasurr of this Province for ye subsisting the forces yt shall be Imployed In Building ye Block house voted to be Built at Winipisiokee & for furnishing with Provision & amunition such volunteers as shall obtaine ye approbation of the comander in chiefe for the time being.

J J C Asm

A message by the Cler Con. that the above vote is concur'd, and yt ye Bill of this house entituled an act to Encourage ye Prosecution of the Indian enemy & Rebels was concur'd

And also ye Bill for Building ye Block house at Winipissiokee Pond was concurred.

And also ye Bill in addition to the act for Regulating the millitia concur'd and all ready for signing

[p. 348.] 7r ye 1st 1722.

In the house &c.

Voted, That the Millitary comission officers in their Respective Townes within this Province be a comittee of millitia for ordering of all things referring to the Building & Setling of Garrisons; as they or the maj. part of them shall see occasion. And the several Inhabitants are hereby Required to yield Due obedience to the orders of the said comittee on Penalty of a fine of five shillings pr day for every dayes refusall. And upon Refusall of payment of such fine he or they shall forthwith by warrant from ye comanding officers of ye company to which he or they belong, Directed

to the clerk thereof, be forthwith sent to his Maj^ties Goal at Portsmouth there to Rem^a untill the fine be paid and all charges accruing thereon.

Sent up for concurrence.

Concurr'd with as before. J J C A

A message from the Board by the cler con

That the house appeare at the Board.

Mr Speaker and the house went up accordingly and the assembly was Prorouged to the eighth of October next.

Coll Weare took out his Debenture 34 to y^e 6^th 7^r 1722

---

Munday the 8^th of 8^r 1722 the house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| James Davis | | Capt William Fellows |
| Jotham Odiorn | | John Downing |
| John Gillman | Esqrs | John Gilman |
| Andrew Wiggans | | Mr John Redman |
| John Plaisted | | John Sandburn |
| | | Eaph^r Dennit |
| | | Theo Atkinson |

[P. 349.] 8^r y^e 8^th 1722.

A message by y^e clerk for the house to appeare at the Board.

Mr Speaker and the house went up accordingly and was prorouged to the 17^th inst.

---

Wednesday 8^r y^e 17^th 1722. The house met according to Prorogation. Present

Mr Speaker Weare

| | | |
|---|---|---|
| John Plaisted | | Capt John Downing |
| Jotham Odiorn | | Tim^o Gerrish |
| John Gilman | Esqrs | Sam^ll Tibbets |
| Sam^ll Eastman | | W^m Fellows |
| Andrew Wiggans | | John Gillman |
| | | Mr. John Redman |
| | | John Sandburn |
| | | Eaph^r Dennet |
| | | Theo Atkinson |

A message from the L$^{t}$ Gov$^{r}$ by M$^{r}$ Cler Waldron that the house attend him at the Board.

Mr Speaker and the house went up accordingly Where they rec$^{d}$ the Liu$^{t}$ Govern$^{s}$ speech which was sent down to to the house imediatly.

[See Journal of Assembly, p. 60.]

[p. 351.] In the house &c

Voted That Coll John Plaisted Andrew Wiggans Esqr Capt W$^{m}$ Fellows & Mr Theo Atkinson be a comittee of the house to answer the Liu$^{t}$ Gov$^{rs}$ speech and present to this house for approbation. J J C A.

Then the house adjourned to Thursday 18$^{th}$ 8$^{r}$ 1722 A. M.

Thursday 8$^{r}$ the 18$^{th}$ 1722 A. M.

The house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | W$^{m}$ Fellows |
| Jotham Odiorn | | Sam$^{ll}$ Tibbets |
| Andrew Wiggans | | Tim$^{o}$ Gerrish |
| John Gilman | | John Gillman |
| Samuell Estman | | Mr John Redman |
| | | Mr Eaph$^{r}$ Dennit |
| | | John Sandburn |
| | | Theo Atkinson. |

[p. 352.] Thursday 8$^{r}$ y$^{e}$ 18$^{th}$ 1722.

The comittee for answering the Liu$^{t}$ Gov$^{rs}$ speech made theire return which was Read & accepted & Resolved to be sent up.

[See Journal of Assembly, p. 62.]

[p. 353.] 8$^{r}$ 18th 1722.

The answer to the L$^{t}$ Gov$^{rs}$ speech was sent up.

The matter of Capt Frost & Greenoughs Petition ag$^{t}$ Jotham Odiorn Esq was Bro$^{t}$ forward.

The Parties Caled.

Capt John Frost Capt Daniell Greenough and Mr Jo$^{s}$ Simpson appeared and produced several evidences to make good the complaint in theire Petition.

The evidences being read and Parties heard and the matter Debated,

And put to vote whether s$^{d}$ Odiorn was legally chosen or not. It past in the affirmative, and

Resolved that s[d] Jotham Odiorn Esq was legally chosen a Representative for the Town of New Castle, and Reconducted to his place againe.

Then the house adjourned to fryday 8[r] y[e] 19[th] 1722.

Nine of the clock A. M.

---

Fryday 8[r] y[e] 19[th] A. M. The house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | John Gillman |
| Jotham Odiorn | | W[m] Fellows |
| John Gillman | | Tim[o] Gerrish |
| Samuell Eastman | | Sam[ll] Tibbets |
| Andrew Wiggans | | Mr John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Eaph[r] Dennet |

In the house of Representatives.

Resolved that the established wages for all officers & souldiers in the service of this Province & Don in this Province for two years now next ensuing from y[e] 17[th] of August last past shall be [P. 354.] For a capt[s] seven pounds pr month for a Liu[t] foure pounds for a serg[t] & clerk each fifty-eight shillings for a corporall forty-five shillings for a cent[s] forty shillings. Aug[t] y[e] 19[th] 1722. J J C A.

Sent up for concurrence.

Eod[m] Die. A message from the Board by y[e] clerk con. That the above voat was concured with.

In the house of Rep[r]

Resolved That the Treasurer be sent for and ordered to bring in his accompts what he hath paid and what money he gives the Province credit for since his last ac[t] made up in 1721. J J C A.

Then the house adjourned to two o'clock P. M.

---

Fryday 8[r] y[e] 19[th] 1722 , the house met according to adjor[n] all present as in the morning

Then the house adjourned to Saturday 8[r] y[e] 20[th] A. M.

Saturday 8$^{r}$ y$^{e}$ 20$^{th}$ 1722. the house met according to adjor$^{m}$.

P'sent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Cap$^{t}$ John Gillman |
| Jotham Odiorn | | Tim$^{o}$ Gerrish |
| Samuell Eastman | | W$^{m}$ Fellows |
| Andrew Wiggans | | John Downing |
| John Gillman | | Mr. John Redman |
| James Davis | | John Sandburn |
| | | Theo Atkinson |
| | | Eaphr$^{a}$ Dennit |
| | | Samuell Tibbets. |

Eod$^{m}$ Die.

Voted that John Plaisted Esq. Capt William Fellows Mr Theodore Atkinson & Mr Clerk Jeffrey be a comittee of this to examin the Treasurers acc$^{ts}$ from May 1721 and the Prov acc$^{ts}$ and state them in the best manner they can, That it may be known how the state of the cash in y$^{e}$ Treasury stands and make theire return to this house Munday next. J J C A.

[P. 355.] Sathurday 8$^{r}$ y$^{e}$ 20$^{th}$ 1722.

Eod$^{m}$ Die. In Councill.

Voted. That a comittee of both houses be appointed to examine the Treasurers acc$^{ts}$ from the month of July 1721 & Report to the gen$^{ll}$ Assembly the present state of the Treasury & y$^{t}$ Mark Hunking & George Jaffrey Esqrs to be of y$^{e}$ Comittee from the Board for the service above

R W C C

Eod$^{m}$ Die.

In the house of Representatives Read and

Eod$^{m}$ Die A Bill read for making an act ag$^{t}$ psons selling without License Read & sent up for Concurrence.

Then the house adjourned to Munday 3 o'clock P. M.

Munday 8$^{r}$ y$^{e}$ 22$^{d}$. The house met according to adjornm$^{t}$

P'sent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| John Gillman | | W$^{m}$ Fellows |
| Andrew Wiggans | | Tim$^{o}$ Nerrish |
| | | Mr John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Eaph$^{r}$ Dennit |

The comittee for examining the accompts not being ready to make theire return the house adjourned to Tuesday 8r ye 23d 1722 A. M.

---

Tuesday 8r ye 23d 1722, A. M. the house met according to adjournmt

Present Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| Jotham Odiorn | | John Gillman |
| Jas Davis | | Wm Fellows |
| Samll Eastman | | Timo Gerrish |
| John Gillman | | Samll Tibbets |
| Andrew Wiggans | | Mr John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Ephra Dennit. |

[P. 356.] Tuesday 8r ye 23d

Voted. That the bonds for the 1500lb lying in the former speakers hands be sent for & Lodged in the hands of a pson appointed by this assembly. J J C A.

& ordered that Capt Timo Gerrish & Capt John Gillman be sent from this house for them. J J C A.

Eodm Die. the above two Gent Brot the bonds being twelve in number and Gave them the Speaker.

Then the house adjourned for two hours P. M.

Tuesday 8r ye 23d 1722 P. M. the house met according to adjournmt

The comittee not being ready to make theire return

The house adjourned to Wednesday 8r ye 24th 1722 A. M.

---

Wednesday 8r ye 24th 1722 A. M. the house met according to adjournment.

Present Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | John Gillman |
| Jotham Odiorn | | Wm Fellows |
| John Gillman | | Timo Gerrish |
| Andrew Wiggans | | Samll Tibbets |
| Samll Eastman | | Mr John Redman |
| | | John Sandburn |
| | | Theo. Atkinson |
| | | Ephr Dennit. |

The house adjourned for two hours.

Wednesday 8r ye 24th 1722 P. M. the house met according to adjournment. all Present as in the morning.

Voted that Jotham Odiorn Esqr and Mr Theo Atkinson and Mr Ephrm Dennit be a comittee of this house to Joyn with a comittee of the upper house to examine the Muster Roles of the souldiers in the service this last Sumer in order to be laid before this house for allowance. J J C A.

[P. 357.] 8r ye 24th 1722 P. M.

The comittee for Examining the Treasurer & Province accts made theire Return to this house a copy of which lies on file. In the house Voted, the said Return be accepted and the accompts allowed. J J C A.

Then the house adjord to thursday ye 25th 1722 A. M.

---

Thursday 8r ye 25th 1722 A. M. The house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| Jotham Odiorn | | John Gillman |
| Andrew Wiggans | | Timo Gerrish |
| John Gillman | | Samll Tibbets |
| Samll Estman | | Wm Fellows |
| | | Mr. John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Eaph Dennit |

Eodm Die. The act for the excise amended & sent up.

Eodm Die. The acts returned by the comittee was sent up.

Eodm Die. In the house &c.

Voted that two hundred paire of Snow Shooes & so many paire of mogusoons be forthwith provided & made at the publick charge Each Town in this Province to make their Proportion according to theire Last Province Tax. And yt ye select men in each Town take care the same be Don and Rate each Town and pay for the makeing thereof and yt ye care of them be under the chief millitary officer in each Town and that they shall not be used at any time but for his Maj'ties service, nor Lent. Sent up for concurrence

J J C A.

[P. 358.] Thursday 8r ye 25, 1722.

A message from the board for theire voat of ye 20th past Relating to a Comittee of that Board to Joyn with a comtt of this house to examin the Treasurers accts which vote was read and non concurred.

Eodm Die. In the house of Representatives

Resolved, That it is the undoubted Right of this house to examine & allow the Treasurers accompts.

J J Cler assm

Eodm Die.

Voted that ye £5384 ordered to be Imprest, May ye 7th Last past be Brot into this house by the comittee that signed the same—in order to be put into the hands of Trustees to be appointed for yt end according to sd vote of May ye 7th for the exchanging the same.

J J C A.

The above vote sent down Blank from the Board pr Mr. Jaffrey.

Then the house adjourned for two hours.

Thursday 8r ye 25th 1722. P. M. the house met according to adjournment all present as in ye morning.

In the House of Representatives.

It is the opinion of this house that the vote sent up this Day relateing to the £5384—is consonant to the act Relateing to the same and alsoe to the Govrs comissn, the above opinion sent down

Blank pr mr Jaffrey. J J C A

Then the house adjourned to fryday 8r ye 26th A. M.

---

[P. 359.] Fryday 8r ye 26th 1722 A. M.

The house met according to adjournment

Present Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt John Gillman |
| Jotham Odiorn | | Timo Gerrish |
| John Gillman | | Samll Tibbets |
| Samuell Estman | Esqrs | Mr. John Redman |
| Andrew Wiggans | | John Sandburn |
| Capt John Downing | | Theo Atkinson |
| William Fellows | | Eaphra Dennit. |

Mr. Justice Eastman tooke out his Debenture from y^e^ 1^st^ May 1722, to this day 36 Dayes in all

Eod^m^ Die—The Question being put whether the three Towns viz, Portsmouth, Hampton & Exeter shall have Trustees for y^e^ £5384 or in Portsmouth only.

It past for the three towns.

Eod^m^ Die. Voted that the £5384 appointed to be Lodged in Trustees hands for exchanging be Lodged part in Portsmouth part in Hampton and part in Exeter for y^t^ end in psons to be nominated by both houses one thousand pounds in Hampton, and one thousand in Exeter and the rest in Portsmouth.

J J C A.

Eod^m^ Die a message y^e^ vote is concurred with
Then The house adjourned for two hours.

Fryday 8^r^ y^e^ 26^th^ 1722 P. M.

The house met according to adjournment all present as in the morning—And the comittee for auditing the muster Roles made theire Return.

[See Journal of Assembly, p. 68.]

[P. 360.] 8^r^ y^e^ 26 1722 In the house of Representatives.

Resolved. The above ac^ts^ of the Muster Roles returned by y^e^ comittee of audit be allowed the severall sums entered ag^t^ the officers names. J. Jaffry Cl. Ass^m^

[P. 361.] In the house of Representatives.

| | |
|---|---|
| Capt Sam^ll^ Tibbets acc^t^ | £ : 15 : — |
| Capt John Gilmans acc^ts^ | £2 : 15 : — |
| Capt Tim^o^ Gerrish & two others | £8 : 6 : — |
| Capt Jas Davis & Doctor Alden | £6 : — : — |
| An acc^t^ for Coll Waldron | £9 : — : — |
| | £26 : 16 : — |

8^r^ y^e^ 26, 1722.

In the house of Representatives.

The above acc^t^ being referred to the Assembly Resolved that the above acc^t^ be allowed as the sums are set off ag^t^ y^e^ names. J J C Ass^m^

In Councill 8^r^ y^e^ 26, 1722.

Voted that mark Hunking, George Jaffry & Richard Wibird Esqrs be of the Trustees from the Board for receiving that part of the five thousand three hundred eighty foure

pounds which is to be Lodged at Portsmouth for exchanging the old out standing Defaced Bills.

Rich[d] Waldron Cler Con.

Eod[m] Die.

In the house of Representatives.

read & concurred—and

Voted—That Coll John Plaisted Capt Joshua Pierce, Mr Eaphraim Dennit be of the Trustees from this house to Joyne with the Gen[ts] above appointed for y[t] end.

J J C Ass[m]

Eod[m] Die.

Voted y[t] Coll Peter Weare be of the Trustees of this house for y[t] part of y[e] five thousand three hundred 84 pounds to be Lodged in Hampton & Maj[r] John Gillman be of y[e] Trustees for the Town of Exeter for y[e] service above.

8[r] 26, 1722.

In the house of Representatives.

[P. 362.] Voted that all the men under the comand of Capt John Penhallow at Arrowsowick be made up thirty two shillings pr month for all the Time they were in y[e] service, and the Deserters y[e] same wages of thirty two shillings pr month for the Time they were in the service and nothing more to Capt Penhallow and to Lt Lad 10*s* per month added to what was allowed before. J J C A.

[P. 363.] Sathurday 8[r] y[e] 27[th] 1722. A. M.

The house met according to adjournment all present But Coll Davis.

Memorandum—That the Bonds Relating to y[e] 1500 lb Loan & 230 lb besides in all 1730 lb thirteen bonds are delivered by the psent speaker to Coll John Plaisted for safe keeping.

Eod[m] Die.

In the house of Representatives.

Voted—That the sume of five hundred thirty eight pounds eleven shillings and three pence be paid into the Treasury of this Province by the comittee y[t] signed y[e] £2800 for the payment of the muster Roles and acc[ts] allowed by y[e] generall assembly 8[r] y[e] 26 1722.

And that it be p[d] to the severall officers & psons as the sums are carryed off against theire names & y[t] y[e] comander in chiefe for the time being be desired to Issue out his Warrant accordingly.

Eod[m] Die. A message y[t] above voat concurred with.

Eod^m Die.

In the house of Representatives.

Voted—That his Excellencie y^e Governour be presented with one hundred pounds to be paid him out of the Treasury for his support in mannaging y^e affairs of y^e Goverm^t to 8^r y^e 1^st 1722.

Sent up for concurrence.

Eod^m Die.

Resolved, that y^e sume of one hundred pounds be paid out of y^e Publick Treasury to his Hon^r y^e Lift Gov^r, for his great care & speciall service Don this Province.

J J C Ass^m

---

[p. 364.] 8^r y^e 27, 1722.

An acc^t of Mr. Smales for 25*s* for 2 years.

Last past be allowed £1 : 5

In council 8^r y^e 27^th 1722.

Voted That Mark Hunking George Jaffrey & Richard Wibird Esqrs be of the Trustees from the board to joyn with soe many of the house to receive the five thousand three hundred eighty foure pounds in equall parts for exchanging the outstanding bills according to the Tenor of y^e act.

R W C Con.

Eod^m Die. In the house of Representatives.

Read & concurred.

Voted—That Coll Peter Weare Coll John Plaisted & Maj^r John Gilman be of the Trustees from y^e house (to joyn with those chosen by y^e Board) to receive in Equall parts with them y^e £5384 for exch^a the old outstanding Bills according to the Tenor of y^e act.

J J C A.

Sent up for concur^e

In the house of Representatives,

[See Journal of assembly, p. 74.]

[p. 365.] Eod^m Die.

Mr. John Penhallows Muster Role allowed to the sume of £125 : 3 : 8.

Eod^m Die.

In the house of Representatives.

Voted—That Andrew Wiggans Esqr Mr Theodore Atkinson be a comittee of this house to joyn with the comittee

of the upper house to Draw up the act for Emitting two thousand pounds. J J C A.

Eod$^{m}$ Die.

In the house of Representatives.

Voted—that the souldiers belonging to Castle William and Mary Receive theire wages allowed at two severall payments the one halfe in march the other halfe in october & so De anno in annum.

Jas Jeffry C Ass$^{m}$.

[P. 366.] 8$^{r}$ y$^{e}$ 27$^{th}$ 1722.

In the house of Representatives.

Voted—That foure hundred eighty six pounds eight shillings & nine pence be Delivered the treasurer by y$^{e}$ comittee y$^{t}$ signed the two thousand eight hundred pounds for payment of the allowance of Mr Penhallows addition to his muster Role and accompt allowed Mr Small s$^{d}$ sum being y$^{e}$ Ballance of s$^{d}$ sum of £2800 and if any over plush to rem$^{a}$ in the Treasury till further order.

J J C A.

Eod$^{m}$ Die in Councill Read & concur'd By a message per Mr Clark Waldron.

Then the assembly was Prorouged to y$^{e}$ 10$^{th}$ X$^{br}$ next

Coll Ja$^{s}$ Davis took out his Debenture to this Day.

| | |
|---|---|
| Capt Tibbets Do | Debenture to Do |
| Mr John Redman Do | Do to Do |
| Mr John Sandburn Do | Do to Do |

---

[P. 367.] Munday X$^{r}$ y$^{e}$ 10$^{th}$ 1722.

The house met according to Prorogation.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt John Downing. |
| Jotham Odiorn | } Esqrs | Tim$^{o}$ Gerrish |
| James Davis | | W$^{m}$ Fellows |
| John Gillman | | Mr. John Redman |
| | | John Sandburn |
| | | Theo Atkinson |
| | | Eaphr Dennit |
| | | Capt John Gillman |

Mr Treasurer Penhallow came to the house & gave the house to understand that his occassions Required him to goe to Great Brittaine & as the assembly had comitted the Prov-

ince Records into his hands as recorder he hope they'd now chuse a met p'son for y$^{t}$ office and Discharge him and alsoe that he was Ready to make up his accompts as Treasurer Eod$^{m}$ Die

In Councill X$^{r}$ y$^{e}$ 10$^{th}$ 1722

For as much as Mr Treasurer Penhallow has Represented to the board y$^{t}$ he is about to Leave the country & therefore prayed to be Discharged of the records of this Province of New Hamp$^{re}$

Voted—That Mark Hunking Esqr be the record$^{r}$ of this Province & y$^{t}$ all the books of records files of papers belonging thereto be fortw$^{th}$ delivered into the hands of the said Mark Hunking Esqr he giving a rec$^{t}$ for y$^{e}$ same & taking an oath for the faithfull execution off y$^{e}$ office.

R W C Con

Nothing Don on this voate.

[P. 368.] X$^{r}$ the 10$^{th}$ 1722.

In the house of Representatives, Resolved, that Mr. Treasur$^{r}$ Penhallow be notyfied to Lay his accompts before this house forthwith in order to be adjusted. J J C A.

A message from the Board by Mr. Clerk Wald$^{n}$ for the house to appeare at the Board for a conference relateing to the Treasurer accompts

And the house went up accordingly and returned.

And these Questions Disputed in the house whether a comittee of this house shall be Joyned with a comittee of the upper house for adjusting the Publick accompts & whether an express be sent his Excell$^{y}$.

To the first: altho it is the undoubted Right of this house to adjust the Treasurers accompts yet considering the extraordinary occasion, It past y$^{t}$ a comittee of Both houses be chosen for y$^{t}$ end at this time to settle from what has been Don already by y$^{e}$ comittee of y$^{e}$ last sessions.

Voted—That a comittee of this house be chosen to joyne with a comittee of y$^{e}$ upper house for adjusting the Treasurer accompts before he goes off, & y$^{t}$ Coll John Plaisted, Capt. W$^{m}$. Fellows, Mr. Theo Atkinson, Mr. Eaphraim Dennit & Mr. Clerk Jeffries be of y$^{e}$ comittee from this house for y$^{t}$ end & y$^{t}$ an express be sent his Excellencie to call the assembly Imediately to sit again for adjusting & Discharging s$^{d}$ accounts

Sent up. J J C A.

[P. 369.] Eod^m Die. The Question being put whether the Recorder should be now chose, or when the Assembly meet againe.

Its ordered the matter of the recorder ly under Consideration untill the Assembly meet againe.

Then the L^t Gov^r sent for the house.

the house went up accordingly and was prorouged to the 10^th february next. And to meet againe thursday next, X^r 13—1722.

---

December the 13^th 1722.

Province of New Hampshire X^r 13, 1722.

Whereas the Gennerall Assembly of this Province stand Prorouged to the 10^th day of febuary next, & his Maj^ties Service, and the pressing affairs of this Government Require aspeciall Sessions at this time.

Ordered that the Clerk give Publick Notice to the members of the house of Representatives that they give theire attend^a in Gen^ll Assembly this Day at 3 a Clock afternoone for his Maj^ties Service

Richard Waldron Cler. Con.

According to the above order the house mett.

Psent Mr. Speaker Weare.

| | |
|---|---|
| Jotham Odiorn | |
| John Plaisted | Cap^t Samuell Tibbets |
| John Gillman | M^r John Redman |
| Cap. John Downing | John Sandburn |
| Tim^o Gerrish | Eaphr^a Dennit |
| John Gilman | Theo Attkinson |
| Wm. Fellows | |

[P. 370.] Thursday X^r y^e 13^th 1722.

In the house of Representatives.

Voted—That the Return of the Auditors on M^r Treasurer Penhallows acc^t be accepted and that the accompt be allowed.

James Jeffry Cler. Ass^m.

[P. 371.] Thursday X^r y^e 13^th 1722.

That Since M^r Treasurer Penhallow hath made up his accompts with the Province and Is going off, so y^t y^e Treasurers Place is vacant The Question being put for some pson to goe up to the Board to know whether there is a new

Treasurer appointed And whether he is Quallifyed by any Comission And Giving Security by Bonds.

Jotham Odiorn Esq$^{r}$, and Cap$^{t}$ William Fellows went up with the above message.

Eod$^{m}$ Die. The vote of the Councill of the 10$^{th}$ Inst. relateing to a recorder was Read And non-concurred with, & sent up.

The Messengers Returned and Bro$^{t}$ answer that the L$^{t}$ Governor & Councill were of the mind that it was Reasonable that the Treasurer should give Security.

And that Security shall be given.

Eod$^{m}$ Die.

In the house of Representatives.

Voted—That Coll. Mark Hunking be the recorder of Deeds for this Province, and that all the bookes of Records & fyles of papers belonging thereto be forthw$^{th}$ Delivered into his hands, he giveing a receipt for the same and take an Oath for the faithfull Discha. of his office.

James Jeffry, Cler. Assem.

Sent up for concurrence.

Eod$^{m}$ Die. In the house of Representatives

Voted That John Plaisted Esq., Cap$^{t}$. William Fellows & M$^{r}$ Eaphraim Dennit, be of the Comittee from this house to Joyne with a Comittee of the upper house to take the Stores that are left in the Treasury and Deliver them to the New Treasurer. Sent up &c.

James Jeffry Cler. Assem.

[P. 372.] Thursday X$^{r}$ y$^{e}$ 13, 1722.

Voted—That John Plaisted Esq$^{r}$, Cap$^{t}$ William Fellows, M$^{r}$ Eaphraim Dennit, Jotham Odiorn Esq$^{r}$ & M$^{r}$ Theodore Atkinson be a Comittee of this house to Joyne with a Comittee of the upper house to take the records & files thereto belonging, from M$^{r}$ Recorder Penhallow & Deliver them Coll. Mark Hunking takeing his rec$^{t}$ for the same.

James Jeffry, Cler. Ass$^{m}$.

Sent up for concurrence.

Eod$^{m}$ Die.

In the house of Representatives.

Voted—That the Recorder of Deeds for this Province be chosen every three years att the Spring Sessions—from the next Spring Sessions.

Jas. Jeffry, Cler. Ass$^{m}$.

Sent up for concurrence.

A message from the Board by Mr Clerk Waldron that the voate for chuseing a Recorder every three years was concurred with, and the voat for the Comittee to take the Stores from the Treasury.

A message by George Jaffrey Esqr & Mr Cler. Waldron that the Speciall Sessions is ended, and the Assembly now stands prorogu'd to the 10th of febuary, and from thence to the Munday seven Night after.

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| | | | |
|---|---|---|---|
| Capt Timo Gerrishs Debenture to this Day. | | 36 | Dayes. |
| Capt Samll Tibbets | Do — to — Do | 45 | Do |
| Mr Ephr Dennit | Do — to — Do | 63 | Do |
| Capt Wm Fellows | Do — to — Do | 39 | Do |
| John Plaisted Esqr | Do — to — Do | 39 | Do |
| Jotham Odiorn Esq. | Do — to — Do | 77 | Do |

[P. 373.] Munday ye 18 Febv

The house met according to Prorogation.

Present Mr. Speaker Weare.

John Plaisted, Majr Gilman, James Davis, Jotham Odiorn } Esqrs

Capt John Downing, Wm Fellows, John Gillman, Mr. John Redman, John Sandburn, Ephra Dennit, Theo Atkinson.

The house was sent for up to the Board and the Lt Gov made a speech a copy whereof was sent Down.

[See Journal of Assembly, p. 80.]

The house adjourned to Tuesday ye nineteenth A. M.

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[P. 375.] Tuesday Febr ye 19th 1722-3 A. M.

The house met according to adjournment

Present Mr. Speaker Weare

John Plaisted, James Davis, Jotham Odiorn, John Gilman, Andrew Wiggans } Esqrs

Capt Will Fellows, John Downing, John Gillman, Mr John Redman, John Sanburn, Theo Atkinson, Ephra Dennit, Capt Samll Tibbets

Voted that a committee be chosen to answer the L^t^ Governor^s^ Speech, and that Coll John Plaisted Capt William Fellows & Mr Theo Atkinson Coll Davis Maj. John Gillman Capt Andrew Wiggans be of s^d^ comittee

Jas Jeffry Cler Ass^m^

Voted—That Jotham Odiorn Esq Mr. Ea: Dennit be of the comittee of this house to joyn with a comittee of the upper house to tell over the money now to be Burnt.

Jas Jeffry Cler Ass^m^

Eod^m^ Die They returned and Bro^t^ in and Burnt in the face of the assembly three hundred twenty one pounds of the fifteen thousand pound Loan & y^e^ Grand comittee is Discharged of s^d^ sum.

Jas Jeffry Cler Assembly.

The comittee for answering the L^t^ Gov^r^ Speech returned with theire answer which was read.

Then the house adjourned for two hours P. M.

The house met according to adjournment all present as in the morning.

The answer to y^e^ L^t^ Govern^rs^ speech was read and sent up.

[See Journal of Assembly, p. 82.]

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[P. 377.] Tuesday Feb. 19^th^ 1722-3

A vote of the upper house came down. That Geo Jaffrey & Mr Clark Waldron should be of the com^tt^ from the Board to joyn a comittee of the Lower house to draw an address to his Maj^tie^ on his Late happy deliverance &c

Eod^m^ Die

In the house of Representatives

Voted—

That Jotham Odiorn Esq. & Capt William Fellows be off the comittee of this house to joyn with those of the upper house to form an address to his Maj^tie^

J J C A.

A petition of James Cate was read. That Jeremy Lare who was hired by s^d^ James Cate to serve in his room to scout the frontiers under the comand of Capt John Gillman being omitted in the s^d^ Capt^s^ Muster Role prays he may be allowed therefor. Voted that he be allowed centinels pay for thirty three days service and paid out of ye Publick Treasury.

Jas Jeffry Cler Ass^m^

Sent up for concurrance.

Then the house adjourned to Wednesday the 20 A. M.

Wednesday y^e^ 20^th^ Febuary A. M. 1722-3

The house met according to adjournment.

Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt John Downing |
| James Davis | | W^m^ Fellows |
| Jotham Odiorn | Esqrs | John Gillman |
| John Gillman | | Sam^ll^ Tibbets |
| Andrew Wiggans | | Mr. John Redman |
| | | John Sandburn |
| | | Eaph^ta^ Dennet |
| | | Theo Atkinson |

[See Journal of Assembly, p. 84–85.]

[P. 378.] Then the house adjourned for two hours P. M.

Wednesday Fe^b^ 20 1722-3 P. M.

The house met according to adjournment all psent as in the morning.

Eod^m^ Die.

In the house of Representatives.

Ordered that Mr. Treasurer Jaffrey demand and receive from the Late Treasurer Mr. Penhallow the Ballance of his accompts made up and due to the Province & y^t^ y^e^ Psent Treasurers receipts shall be a full Discharge to the former Treasurer for the same sum.

Jas Jeffry Cler Ass^m^

Sent up for concurrence.

Eod^m^ Die.

The address to his Maj^tie^ was sent down and read & amended (by your unaturall subjects) instead of fellow subjects sent up by two messengers for this and som other amendments.

A message from the Board by Mr. Clerk Waldron y^t^ y^e^ voats Relating to Cate—for ye Treasurers and for putting 300 lbs into the Treasury were all concurred w^th^ the address Bro^t^ with the amendm^ts^ read & concurred & sent and the house was proroug'd to the 20^th^ May 1723.

[See address in Journal of Assembly, p. 85.]

[P. 379.] Munday May the 20^th^ 1723 the house met accord to Prorogation.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| Jotham Odiorn | | Capt John Gillman |
| Maj John Gillman | | Wm Fellows |
| Andrew Wiggans | Esqrs | John Downing |
| James Davis | | Mr. John Redman |
| John Plaisted | | John Sandburn |
| | | Eaphraim Dennit |

The Livt Govr sent down to know if there were a house a message by the clerk of the councill for the house to appr at the Board

The house went up accordingly and had a speech from the Livt Govornour then the house returned and the speech was sent Down in writing.

Then the house adjourned for two hours P. M.

Munday May ye 20th P. M. the house met according to adjournment.

The Livt Govornours speech was Read in the house and a committee chose to answer it viz.

Jotham Odiorn Andrew Wiggans and Maj Gillman Esqrs.

Then the house adjourned to Tuesday A. M. nine o'clock.

Lt Govrs Speech.

[See Journal of Assembly, p. 87.]

[P. 381.] Tuesday May the 21, 1723 A. M. the house met according to adjournment.

Present Mr Speaker Weare.

| | | |
|---|---|---|
| Jotham Odiorn | | Theo. Atkinson |
| John Gillman | | Capt John Gillman |
| Andrew Wiggans | Esqrs | Wm Fellows |
| James Davis | | John Downing |
| John Plaisted | | John Redman |
| Samll Estman | | John Sandburn |
| | | Ea Dennit |
| | | Samll Tibbets |

The Comittee returned with an answer to the Livt Govrs speech.

[See Journal of Assembly, p. 90.]*

[P. 382.] The house adjourned for two hours P. M.

Tuesday May ye 21 P. M. the house met according to adjournment all as in the morning.

Voted in Councill May 21, 1723.

That Mark Hunking & Richard Wibird Esqrs be of ye com-

* This speech as entered in the Journal of Assembly is a revised copy of that in the Journal of the House. Comp. Gov. MS. Messa., Vol. I, p. 73. Ed.

ittee from the board to joyn with so many of y^e^ house of Representatives to examine the claimes & Demands & audit the accompts of all psons to be laid before the gen^ll^ assembly at this session and that they make theire report as soone as conveniency will pmit.

Rich^d^ Waldron Cler Con

Eod^m^ Die. In the house of Representatives

Voted—the house adjourned to Wednesday y^e^ 22^d^ A. M.

Wednesday May the twenty second A. M. the house met according to adjournments

P'sent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | W^m^ Fellows |
| John Gillman | | John Gillman |
| Jotham Odiorn | | Sam^ll^ Tibbets |
| Andrew Wiggans | | Mr John Redman |
| Samuell Eastman | | John Sandburn |
| | | Eaph^r^ Dennit |
| | | Theo Atkinson |

Eod^m^ Die. In the house of Representatives.

Voted—That all accompts relating to this Province be laid before this house for approbation & allowance.

Jas Jeffrey Cler Ass^m^

[P. 383.] Wednesday May ye 22^d^ 1723.

In the house of Representatives.

Voted

Mr Ephraim Dennit The^o^ Atkinson & Jotham Odiorn & Andrew Wiggans Esqrs be of the comittee of this house to joyne with a comittee of the upper house to examine the claims & Demands & audit the accompts of all psons to be Laid before the Generall assembly at this session for allowance and that they make theire report as soone as conveniency will permit. Jas. Jaffry Cler Ass^m^

Then the house adjourned for two hours P. M.

Wednesday May 22^d^ 1723 P. M. the house met according to adjournment all pesent as in the morning.

A message from the board by Mr Clark Waldron y^t^ the voat of this house for the comittee for auditeing the accompts was concurred with and y^t^ Mark Hunking Rich^d^ Wibrid & John Frost Esqrs are chosen by the Board for that end.

A vote for an act the assembly should set but three years was sent up and the answer to the Liv^t^ Govornours speech.

Then the house adjourned to Thursday nine oclock A. M.

Thursday May y^e^ 23 1723 A. M.
The house met according to adjournment
Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| James Davis | | Capt John Downing |
| John Gillman | | John Gillman |
| Andrew Wiggans | | Sam^ll^ Tibbets |
| Sam^ll^ Eastman | Esqrs | Mr. John Redman |
| John Plaisted | | John Sandburn |
| Jotham Odiorn | | Capt W^m^ Fellows |
| | | Eaph^ra^ Dennit |
| | | Theo Atkinson |

[P. 384.] Thursday May y^e^ 23^d^ 1723.
In the house of Representatives.

Voted—that the millitary comission officers in each Town in this Province or the maj^r^ part of them shall have power to make orders for the preventing & restraining the fireing of gunns Disorderly or unnecessary During the Psent Indian Warr to punish either by corporall punishment or by fine not exceeding ten shillings for each offence

James Jeffry Cler Ass^m^

Sent up for concurrence.
Eod^m^ Die.

In the house of Representatives.

Voted—That the whole house (excepting the comittee of audit) be a comittee to joyne a comittee of the upper house to view the fort William & Mary at New Castle this afternoone and make a report thereof to the generall Assembly.

And from the Board was chosen Geo Jaffrey Sha Walton & Thomas Packer Esqrs

A Petition of Joseph Chesly was Bro^t^ Down from y^e^ board
Then the house adjourned to fryday the 23^th^ 1723 A. M.

---

Fryday May y^e^ 24^th^ 1723 A. M.
The house met according to adjournment
Pesent, Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Cap^t^ John Downing |
| James Davis | | John Gillman |
| Jotham Odiorn | | Sam^ll^ Tibbets |
| John Gillman | Esqrs | W^m^ Fellows |
| Andrew Wiggans | | M^r^ John Redman |
| Samwell Eastman | | John Sandburn |
| | | Theo. Atkinson |
| | | Eaphraim Dennit. |

[P. 385.] Fryday May y^e^ 24^th^ 1723 A. M.

The petition of Joseph Chesly was read againe & voted—that the petition be Dismissed

Jas Jaffry Cler. Ass^m^

Eod^m^ Die

The comittee of this house that went yesterday to view the fort W^m^ & Mary returned and made y^e^ report viz

That wee find the platform on y^e^ north side of y^e^ fort next the Harbour is out of Repaire and think that its needfull to be repaired this year.

And whereas there is Planck and Timber &c provided for that end that the same be Improved for y^e^ same & that workmen be improved to Do it. The comittee of both houses made theire return under theire hands &c.

Then a mess^a^ from the board P^r^ Geo Jaffrey Sha Walton & Tho^s^ Packer Esqrs relating to Jos Chesleys Petition.

Then the house adjourned for two hours P. M.

fryday May the 24^th^ 1723 P. M.

The house met according to adjournment all present as in the morning.

A Petition of John Knight John Downing Jr for themselves & John Fabens a comittee for the District of Newington

A Petition was read and voted that the Town of Portsmouth & Psh of Greenland be served with a copy of the Petition by y^e^ petitioners & notyfyed to answer at the next setting of y^e^ assembly & show cause (if any they have) why the prayer of the Petition may not be granted.

Jas. Jeffry Cler. Ass^m^

Sent up for concurrence.

[P. 386.] Fryday May 24^th^ 1723 P. M.

A vote came Down from the Board for each Town within this Province where they shall think it proper and necessary for the Select men in each to have a bell man was read.

Then the house adjourned to Sathurday the 25^th^ May A. M.

---

Sathurday May y^e^ 25^th^.

The house met according to adjournment all Psent as yesterday.

& The return of the comittee y^t^ went to view the fort William & Mary at New Castle was Bro^t^ in.

Province of New Hampshire.

Wee of the comittee of both houses agree y^t^ y^e^ Treasury be supplyed with one hundred & fifty pounds for the repaire of the fort W^m^ & Mary to be applyed first to the Platform and the remaind^r^ to the stone work.

Peter Weare at the Request of the house.

Geo Jaffrey in behalfe of y^e^ comittee of the councill.

Eod^m^ Die.

In the house of Representatives

Voted—that the above return be accepted and that a comittee of both houses be chosen to agree with any Pson or Psons to Pform the work at the cheapest rate they can & that notyfications be set up in each Town to give notice for any Pson or Psons to meet s^d^ comittee at the fort at a day by them therein appointed to agree with them for the same

James Jaffry Cler Ass^m^

Sent up for concurrence.

Joseph Chesleys Petition was read in the house again on a rehearing & voted that the Petitioner be allowed fifteen pounds & paid him out of the Publick Treasury.

Jas. Jaffry Cl As.

Sent up for concurrence.

---

[P. 387.] May y^e^ 25^th^ 1723 A. M.

In the house of Representatives.

Voted—That the vote of Councill of y^e^ 24^th^ relating to the act for the better encouragement of carrying on the Indian Warr be concurred with with this amendment (viz) Instead of (within the Provincce) It be made by any pson or psons of this Prov.

Jas Jeffry Cler. Ass^m^

Sent up for concurrence.

Eod^m^ Die—

In the house of Representatives.

Voted—That Jotham Odiorne John Gillman & John Plaisted Esqrs be of the comittee of this house to joyne with a comittee of the upper house to agree with pson or psons to do the work at the fort according to vote formerly passed and that his hon^r^ the Liv^t^ Gov^r^ be desired to Inspect the well Doing thereof.

Jas Jeffry Cler. Ass^m^

Sent up for concurrence.

A message from the Board That Shadrach Walton Thomas Packer & John Frost Esqrs be a Comittee of y^e^ upper house to [joyn] with the above Comittee in that affaire.

Then the house adjourned to Wednesday y^e^ 29^th^ of May A. M. at 9 a clock.

---

Wednesday May y^e^ 29^th^ 1723 A. M. the house met according to adjournment.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Cap^t^ John Fellows |
| James Davis | | M^r^ John Sandburn |
| Jotham Odiorn | | Eaph^r^ Dennit |
| John Gilman | | Cap^t^ John Downing |
| Samuell Eastman | | M^r^ John Redman |
| Andrew Wiggans | | M^r^ Theodore Atkinson. |

The house adjourned for two hours P. M.

[P. 388.] Wednesday May 29 1723 P. M.

The house met according to adjournment, all psent as in the morning.

The return of the Comittee of Audit was Read,

a Bill for an act for prosecuting the Indian Enemy was Bro^t^ Down & read.

and an Amendment to y^e^ Act about high wages was bro^t^ Down by Mr Clark Waldron.

both ordered to ly on the Table for further consideration.

a voat of a Mendm^t^ of y^e^ warr act sent up.

Then the house adjourned to thursday the 30^th^ May A. M.

---

Thursday May the 30^th^ A. M.

the house met all psent as yesterday, and Cap^t^ Samuel Tibbetts.

Eod^m^ Die Voted.

That M^r^ Clark Waldron be allowed & paid out of y^e^ Treasury the sume of Sevénty pounds in full of his acc^t^ for his Service Don this yeare.

Jas. Jeffry Cl^r^ Ass^m^

Sent up for Concurrence.

Eod^m^ Die. In the house of Representatives

Voted—That if it appears that Coll. Davis accomp^t^ for y^e^

runing the Province lines be not allready allowed that it shall be allowed.

Jas. Jeffry Clr Assembly.

Then the house adjourned for two hours P. M.

Thursday May 30 1723 P. M.

the house met according to adjournmt all psent as in the morning.

Eodm Die. In the house of Representatives.

Voted That ye Bill relateing to ye encouragement for a bounty for killing or Takeing the Indian Enemy be concurred wth ye amendment as sent down and another amendmt viz yt ye Bounty & plunder shall be all equally Divided amongst the Captors wthout any Respect to officers or any other pson

James Jeffry Cler. Assm

[P. 389.]

a message from the Board by Mr Clerk Waldron yt ye above voat was concured with and another Message yt ye return of ye audit was accepted & allowed.

The voat of the Councill of ye 24th relateing to a bell man was read & nonconcurred with & sent up.

The act about the high wayes was read & noncurred wth & sent up.

Then the house adjourned to fryday May 31 A. M.

---

Fryday May ye 31, 1723 A. M. the house met accordg to adjournmt

Psent Mr Speaker Weare

| | |
|---|---|
| John Plaisted | Capt John Downing |
| James Davis | John Gillman |
| Jotham Odiorn | Mr John Redman |
| John Gillman | John Sandburn |
| Andrew Wiggans | Eaph Dennit |
| Samll Estman | Capt Samll Tibbets |

In the house of representatives

Voted That the house of Mr Theodore Atkinson at New Castle Where John Willson now livith be a licensd house ye pson therein Giving Security for good orders as usuall & paying excise.

Jas. Jeffry Clr Assm

Sent up for Concurrence

Eod^m Die. In the house of Representatives
the Raising of a thousand pounds Tax this Sessions being put to a voate It past in the negative.

Jas. Jeffry Cle^r Ass^m

Sent up for Concurrence

Eod^m Die. In the house of Representatives
Voted—That a new proportion on y^e severall Towns within this Province be made before any money be raised thereupon & y^t y^e Proportion be made before y^e first Jan^y next.

James Jeffry Cle^r Ass^m

Sent up for Concu^r

[p. 390.] May the 30^th 1723.

accompts allowed in the Assembly.

| | lb | | |
|---|---|---|---|
| John Robinsons whole accompt amounting to | 97 | 3 | |
| Susannah Smalls acc^ts | 5 | 1 | 9 |
| Benj. Akarmans | 13 | 15 | |
| Jethro Pearsons acct | 6 | 6 | |
| Robert Coatses acct | 25 | 2 | 9 |
| James Nocks Muster Role | 47 | 12 | |
| Joseph Beards Muster Role from Ma^r to Ap^r 8^th | 14 | 8 | |
| Capt John Gillmans muster Role | 59 | 15 | 1 |
| Richard Perry for y^e fort Iron work | 15 | 16 | 5 |
| Edw^d Toogood & Grifiths work at the fort | 19 | 5 | 6 |
| Clark 4^lb Trundy 5^lb 5^s Wilkison £5 3 6 | 14 | 8 | 6 |
| Tho Packers acct fireing & 2 visits to y^e sick | 12 | 0 | |
| Mr Lads Muster Role allowed | 21 | 10 | |
| Benj Gamblins accts | 12 | 14 | |
| James Langly for stones for the fort | 4 | 10 | |
| Geo Peirces acct of Iron work | 12 | 8 | |
| James Jeffry acc^t | 3 | 10 | |
| Capt W^m Fellows acc^t | 4 | 9 | 1 |
| Richard Waldrons acc^t | 70 | | |
| Axwell Roberts acc^t | — | — | — |
| Coll Davises acct according to the vote | — | — | — |
| Tho Packers acc^t for medicens £5 0 6 referred to the next sessions | — | — | — |
| Liv^t Beards muster Role 1722 not allowed | — | — | — |
| Geo Vaughan Esq acct Dismist having rendered no acct when he was Liv^t Govorneur | — | — | — |
| John^a Cheslyes muster Role not allowed | — | — | — |
| | £459 | 15 | 1 |

This acc^t must have C^r

| | | | | |
|---|---|---|---|---|
| By p^d Robinson by Mr Penhallow | £20 | — | | |
| D^o p^d Ben Akarman by D^o | 3 | 15 | | |
| Clem Hughes D^r for excise from 7^r 1721 to 7^r 1722 | £18 | 16 | 6 | 23 15 |
| | | | | £436 — 1 |

In the house of Representatives

Voted—That this return of the comittee of audit be accepted as carryed off ag$^{t}$ the Psons names & that Mr clerk Waldron be allowed the sume of seventy pounds in full of his accompt, and that James Jeffry have thirty shillings allowed him more than is carryed off and that coll Packers acct of the Box of Medicens & Instrum$^{ts}$ ly under consideration till next sessions and that the box be ordered to be returned and what is wanting to be made good and that Coll Davises ly according to the voat upon it.

James Jeffry cler Ass$^{m}$

The act relating to the encoragement ag$^{t}$ the Indians was bro$^{t}$ Down with the amendm$^{t}$ and read.

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[P. 391.] Fryday May the 31$^{st}$ 1723 A. M.

A message from the Board by Geo Jaffry Sha Walton & R. Wibird Esqrs on the voat for not Raiseing a thousand pounds to be reconsidered It being put to voat whether a thousand pounds shall be raised and Bro$^{t}$ in by the middle of Jan$^{y}$ next. It past in the affirmative

Eod$^{m}$ Die.

In the house of Representatives.

Voted—That there be a Tax of a Thousand pounds Laid on the Inhabitants of this Province and that it be Bro$^{t}$ into y$^{e}$ Treasury by y$^{e}$ midle of Jan$^{y}$ next in money and that it shall be applyed for Discharging the support of the Governm$^{t}$ as the Generall Assembly shall order.

James Jeffry Cler Ass$^{m}$

Sent up for concurrence.

Eod$^{m}$ Die.

In the house of Representatives

Voted—That John Gillman Andrew Wiggans Samuell Estman Esqrs Mr Theo Atkinson John Sandburn Samuell Tibbets Capt John Downing & Mr Eaphram Dennit be of the comittee of this house to joyn with a comittee of the upper house to Draw a scheme for the Proportions ot the severall Towns in this Province for the Province Taxes.

James Jeffry cler. Ass$^{m}$

Then the house adjourned for two hours P. M.

[P. 392.] Fryday May the 31 1723 P. M.

The house met according to adjournment.

all Psent as in the morning.

An acct Brot in by Axwell Roberts of £3 : 17 : 4 for subsisting five Indians Hostages.

In the house of Representatives

Voted—That Axwell Roberts be allowed £2 : 16, in full of his acct above Provided Oath be made that nothing was recd from the Massachusetts or the Indians towards the payment of said accompt.

James Jeffry Cler Assm

In Councill May 31, 1723.

Voted. That the gent before mentioned be the comittee in behalf of the Board as well as for the house and yt they prepare and lay the said scheme before the genll assembly at the next sessions.

R Waldron Cler. Con

Eodm Die.

In the house of Representatives.

Voted—That Coll Vaughans acct be laid before the committee of audit for accompts and they to make return to this house & yt they goe upon it forthwith.

James Jeffry Cler Assm

Eodm Die. In the house of Representatives.

Voted. That Jotham Odiorn Andrew Wiggans Esqrs Mr Theo Atkinson & Mr Ephraim Dennit be of the comittee of this house to joyne with a comittee of the upper house to Draw the act for Raising a thousand pounds on the Inhabitants of this Province this year according to the vote of this Day James Jeffry Clerk Assm

Sent up for concurrence.

A message from the Board ye above voat concurred wth & that Sha Walton Thomas Packer & Mark Hunking be a comitte from the Board to joyne wth the above comittee for that End.

Eodm Die.

a return of the Comittee of audit relatting to Majr Gilmans acct of Provisions was Brot in.

[P. 393.] Province of New Hampshire.

| Dr | Maj John Gillman | Cr |
|---|---|---|
| Bread to 8 C : 2, to be Dd the Treasurs Order to 170lb pork refused to be Dd Do. | By 105 Pork | £2 : 10 |
| | By 16 Gallons rum | £3 : 6 |
| | | £5 : 16 |

allowed in the house to be pd out of ye Treasury.

The house adjourned to Sathurday June ye first.

Sathurday June the first 1723 A. M.

The house met according to adjournment.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| John Gillman | | Wm Fellows |
| James Davis | | Samuell Tibbets |
| Jotham Odiorn | | John Gillman |
| Samuell Estman | | Mr. John Redman |
| Andrew Wiggans | | John Sandburn |
| | | Theo Atkinson |
| | | Ephra Dennit |

Maj Gilman took out his Debenture to the 2d June 64 Dayes.

Capt John Gilman to ye same day 64 Dayes.

| | |
|---|---|
| These Bonds of ye 1500lb now Brot into the Assm viz Livt Govor Wentworths Dated 8r 27, 1716 | £200 |
| Coll. Vaughans interest to be pd from 15 June last past, Dated Janr 25, 1716, | £200 |
| Coll. Waltons Dated October 27, 1716, | £ 30 |
| Benj. Gamblings Do 27 Do. | £100 |
| Richd Wibirds Janr 25, 1716–17 | £ 50 |
| Capt Richd Gerrishes 8r 21, 1716 | £200 |
| Saml Penhallows Do Do | £200 |
| Geo. Jaffreys Do Do | £200 |
| Richd Waldron Esqr Do. Do. | £200 |
| Theo. Attkinson Esq Do. Do. | £200 |
| Mr Henry Sherburn in ye Plains May 14th, 1722 | £110 |
| James Jaffryes May ye 16, 1722 | £ 40 |
| | 1730 |

John & Joseph Meads May 1720 att 13lb 5 pr yeare.

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[P. 394.] Sathurday June ye 1st 1723 A. M.

In the house of Representatives

voted That the Demand of Coll. Vaughs Interest be suspended till further order

James Jaffry Cler Assm

A Petition of John Underwood for his house in New Castle to be a licensed house was read and Granted & sent up for Concurrence

Jas. Jaffry Cler Assm

Eodm Die. In the house of Representatives.

Voted That his honr the Livt Govornour be presented with a hundred pounds.

a Petition of the Select men of Dover for a Comittee to view a convenient place on Lampre River for a Bridge over said River was Read.

and the vote of the upper house concurred with this Proviso, that the Petitioners pay the charge of the Comittee.

Eod$^{m}$ Die. In the house of Representatives

Voted That the Post master be allowed and paid out of the Treasury three pounds for expediting the Public Letters, free.

Eod$^{m}$ Die.

Voted That Doctor John Crosby be allowed and paid out of the Treasury thirty two shillings & 11$^{d}$ for medicines at the Last Scout with Cap$^{t}$ John Gillman.

Eod$^{m}$ Die. In the house of Representatives.

Voted That there be signed out off of the two thousand pounds now Ready Imprest nine hundred pounds and put into the Publick Treasury for the payment of the sundry Debts now allowed & Due from the Province & other contingencies that my happen Betwixt this and the fall Sessions, and that his hon$^{r}$ the Liv$^{t}$ Governou$^{r}$ be Desired to Issue out warrants for the payments of the respective Sums now allowed to be Done.

James Jaffrey, Cler. Ass$^{m}$.

[P. 395.] In the house of Representatives

Voted That his hon$^{r}$ the Liv. Gov$^{r}$ haveing the whole burthen of the Government as Comander In Cheife Devolved upon him be presented with the sum of one hundred pounds for his Exterordinary Service Don the Government and to be paid out of the Publick Treasury.

James Jeffry Cl$^{r}$ Ass$^{m}$

Sent up for Concurrence

Eod$^{m}$ Die.

An act passed for the Raiseing a thousand pounds on the Inhabitants of this Province this yeare read three times and sent up.

Eod$^{m}$ Die.

The thirteene Bonds was Delivered John Plaisted Esq$^{r}$ by order of the house (all entered in this book June y$^{e}$ 1$^{st}$ 1723) for Safe Keeping.

Eod$^{m}$ Die.

In the house of Representatives

Voted that any psons whatsoever that hath any of the seventeen hundred and thirty pounds at Interest from

the Province shall at any time on producing a rec$^{t}$ from the Treasurer for the payment of the Interest thereof shall have It Endorst on the back of the said Bond by y$^{e}$ Keeper of the Bonds.

James Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die.

In the house of Representatives

Voted That Each man that leads these three small scouts of ten men in a scout shall have allowed and paid them Serg$^{ts}$ pay.

James Jeffry Cl$^{r}$ Ass$^{m}$

Sent up for Concurrence.

A Message by M$^{r}$ Cl$^{r}$ Waldron for the house to appeare at y$^{e}$ board.

The house went up accordingly and were prorouged to tuesday the Tenth of 7$^{r}$ 1723.

Cap$^{t}$ Wiggans took out his Debenture to this Day.

---

[P. 396.] Tuesday September the 10$^{th}$ 1723.

The house met according to prorogation.

Psent.

| | | |
|---|---|---|
| James Davis | Esqrs | Cap$^{t}$ Wm Fellows |
| Jotham Odiorn | | Sam Tibbets |
| Andrew Wiggans | | John Gillman |
| John Gillman | | M$^{r}$ Eaphr$^{a}$ Dennit |
| | | John Redman |
| | | John Sandburn |

The Assembly was Prorouged to the 22$^{d}$ of 8$^{r}$ 1723.

October the 22$^{d}$ 1723.

The house met according to prorogation.

Psent M$^{r}$ Speaker Weare

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Downing |
| James Davis | | Sam$^{ll}$ Tibbets |
| Jotham Odiorn | | W$^{m}$ Fellows |
| John Gillman | | John Gillman |
| | | M$^{r}$ John Redman |
| | | John Sandburn |
| | | Eaph$^{r}$ Dennit |
| | | Theo Attkinson. |

and were prorouged to the 19$^{th}$ of November 1723.

Lt. Coll. James Davis took out his Debenture to this Day. 28 Dayes in all.

Tuesday November the 19th 1723.

The house met according to prorogation.

Psent.

| | | |
|---|---|---|
| John Plaisted | | |
| Andrew Wiggans | | Capt Wm Fellows |
| James Davis | Esqrs | Saml Tibbets |
| Jotham Odiorn | | John Gillman |
| Saml Estman | | Eaphra Dennit |

The Livt Govr adjourned the assembly to Wednesday ye 20th Nine a Clock A. M.

[P. 397.] Wednesday November 20th A. M.

the members of the house met according to the adjournt

Psent.

| | | |
|---|---|---|
| John Plaisted | | Capt Wm Fellows |
| James Davis | | Saml Tibbets |
| Jotham Odiorn | Esqrs | John Gillman |
| Saml Eastman | | John Downing |
| P. M. Andrew Wiggan | | Mr Ephr Dennit. |

a message from the Board to know if there were a house and if there was and the Speaker not psent Then to proceed to Chuse a Speaker protempore.

The Members proceeded by written voat to Chuse a Speaker protemporee and unanimously to one voat chose Coll. John Plaisted Esqr theire Speaker protempore, who took his place accordingly.

a message from the Board by Mr Clark Waldron from the Livt Govr for the house to give theire attendance at the Board.

the house went up accordingly and then return'd and Brot the Livt Govrs Speeeh with them which was read in the house, and a Copy thereof Left on fyle.

(See Journal of Assembly p. 107.)

Then the house adjourned for two hours P. M.

Wednesday 9r ye 20th P. M. the house met according to adjournment all psent as in the morning.

Eodm Die. A Petition of Nathan Longfellow for reliefe for a loss in the yeare 1719 when he was constable was read.

Then the house adjourned to Thursday ye 21 A. M.

Thursday 9r ye 21 1723 A. M. the house met according to adjournment

Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt. Wm Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | | John Gillman |
| John Gillman | | Samll Tibbets |
| Samuell Estman | | Eaphraim Dennit |
| Andrew Wiggans | | |

[P. 398.] In the house of Representatives

Voted

That James Davis, Andrew Wiggans Esq. and Capt Wm. Fellows be of the comittee from this house to Joyn with a comittee of the upper house to audit the accompts of the muster Roles and other accompts Brot in this sessions.

James Jeffry cler Assm

Sent up for concurrence.

A message from the board pr ye cler. that the above vote was concurrd and that John Frost Rich'd Wibird & Arche Mcphedris Esqrs are appointed from the board to joyne with the above for that end.

A vote from the board for a Revivall of the act of Excise was Brot down and Read.

Then the house adjourned for two hours P. M.

Thursday November the 21 P. M. the house met according to adjournment all psent as in the morning.

A letter from Mr Agent Newman, directed to Mr Speaker was sent down from the Livt Govr which came under covert to him was read in the house and lies on fyle.[1]

Eodm Die. A Petition of *the* Thomas Levit & others was Read in the house, and a hearcing of the Genll Assembly was appointed Psently and the house went up & upon motion of the Kingstown the hearcing was put off for want of papers to fryday three oclock.

Then the house return'd and adjourned to fryday ye 22d A. M.

[1] This letter not found.—Ed.

[p. 399.] Fryday November 22d 1723 A. M.

The house met according to adjournment

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt John Gillman |
| James Davis | | Wm Fellows |
| Jotham Odiorn | | John Downing |
| John Gillman | | Samll Tibbets |
| Samuell Eastman | | Mr Ephra Dennit |
| Andrew Wiggans | | Theo Atkinson |

Mr Longfellows Petition was Read againe and sd Longfellow was heard his allegations

The comittee for auditting the accompts went out on that affaire.

Then the house adjourned for two hours P. M.

Fryday Novemr ye 22, 1723 P. M.

The house met according to adjournment all psent as in the morning, Except Jotham Odiorn.

A Vote for a three years assembly past the house a Message from the board for the house to come up at the hearing Hamptons mens Petition for Lands in Kingstown.

The house went up and after heareing returned and adjourned to Sathurday the 23 Inst A. M.

---

Sathurday November 23 A. M.

The house met accor'd to adjournment.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt William Fellows |
| James Davis | | John Gillman |
| Jotham Odiorn | | Samll Tibbets |
| John Gillman | | John Downing |
| Samll Estman | | Mr Ephr Dennit |
| Andrew Wiggans | | Theo Atkinson |

[p. 400.] Mr Longfellows Petition was read againe & Debated on &

Voted—

That the said Longfellow be allowed & paid out of the Treasury the sume of seven pounds in full of all his Demands relateing to his charges & expences as Constable & being under Bonds &c. as in the Petition.

James Jeffry Cler. Assm.

Then the house adjourned to Munday 9r ye 25th 1723.

Munday 9r ye 25th 1723 P. M.
The house met according to adjournment
Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt Wm Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | Esqrs | John Gillman |
| John Gillman | | Saml Tibbets |
| Saml Estman | | Mr Eaphra Dennit |
| | | Theo Atkinson. |

Mr Hiltons Petition was Read & ordered to ly for consideration.

And the voat for a new assembly once in three years was sent up the voat on fyle.

Then the house adjourned to tuesday nine oclock A. M.

Tuesday 9r ye 26th 1723 A. M.
The house met according to adjournment
Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt Wm Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | | John Gillman |
| John Gillman | Esqrs | Sam Tibbets |
| Saml Estman | | Mr. Eaphr Dennit |
| Andrew Wiggans | | Theo Atkinson |

A vote for Repealing sundry of the old Manuscript Laws was sent up.

Vote on fyle.

[P. 401.] In the house of Representatives.

Voted, That Jacob Smith be allowed and paid out of the Treasury twenty five shillings for the Loss of a Sadle. Imprest into the service

Jas Jeffry Clr Assm

sent up for concurrence.

A message from the Board by Geo Jaffrey & John Frost Esqrs with a vote of the Assemblys being chosen once every three [years] and a vote about the ministry of Portsmouth &c.

Eodm Die. In the house of Representatives.

Voted, That no assembly or lower house of representa of this Province shall have any longer continuance than three years from the time of theire being first called & Qualified and that there shall be ten Dayes at Least between the Date of the writs for electing them and the time of theire being

chosen (unless upon extraordinary emergencies) and y^t an act be Drawn up accordingly the Execution thereof being Deferred and suspended until his Maj^ties Pleasure be Known That his Maj^ties Prerogative be not Infringed

Sent up for concurrence. James Jeffry cler asse^m.

Whereas in the act of Gen^ll Assembly of the 25^th of May 1720 Impowering each parish in Portsmouth to Lay a Tax for the support of the ministry the name of the Reverend Mr. Nathaniell Rodgers who is now Deceased is mentioned without Respect to his successors

In Councill 9^r 26, 1723.

Voted That in addition to s^d act the succession in y^e ministry in each parrish May be Inserted.

R W C Con.

Eod^m Die. In the house of Representatives

Read & concurred.

James Jeffrey Cler. Asse^m

[P. 402.] Tuesday 9^r y^e 26, 1723 A. M.

In Councill.

Voted, That Samuel Penhallow & John Frost Esqrs be of the comittee for the Drawing up the Bill for the Triennial Act.

Eod^m Die. In the house of Representatives.

Voted—That Jotham Odiorne Esq and Mr Theo Atkinson be of the committee of this house to joyne with the com^tt above for the ends above s^d

James Jeffry Cler Ass^m

Then the house adjourned for two hours P. M.

Tuesday 9^r y^e 26 1723 P. M.

The house met according to adjournment all psent as in the morning.

A vote came Down from the Board to prevent the hogs going at Large in part of Portsmouth.

And a vote of the Councill for Revising the Laws in the clerk of the Councill office read and no concurred

Eod^m Die. In the house of Representatives

Voted—The house adheres to theire former vote for repealing the Laws not yet printed.

Then the house adjourned to Wednesday the 27 of 9^r 1723 A. M.

Wednesday 9r ye 27 1723 A. M.

The house met according to adjournment.

Psent Mr Speaker Weare

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt Wm Fellows |
| Jotham Odiorn | | John Downing |
| James Davis | | Samuell Tibbets |
| John Gilman | | Mr Ephra Dennit |
| Samuell Estman | | Theo Atkinson. |
| Andrew Wiggans | | |

In Councill 9r 21 1723. Voted, That the act of Excise lately expired be now Revived and yt a bill be Drawn up accordingly

R. Waldron Cler. Con.

9r ye 27, 1723.

In the house of Representatives

voted the above vote be concurred with with this addition yt the Retailers pay 6d pr gall Excise

James Jeffry cler. Assm

Sent up for concurrence.

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[P. 403.]

Upon Rehearing the vote for the Excise voted in addition to the said vote: That no vessel Tradeing to or in this Province shall sell any quantity of Spirits or rum or wine less than a barrell under the penalty of five pounds halfe to ye Informer and half to the support of the Government to be recovered by plaint or Information before any Justice or court of record

James Jeffry Cler. Assm

Eodm Die.

In Councill.

Read and concurred with ye within amendment & addition and Samuell Penhallow & John Ffrost Esqrs appointed of the committee to Draw the Bill.

R. Waldron Cler. Con.

Eodm Die.

In the house of Representatives

Voted this act to continue for two years and noe longer.

James Jeffry Cler. Assm

And that Jotham Odiorn Esqr and Mr Theo Atkinson be

of the committee of this house to joyne with the above committee to Draw up the act accordingly.

Jas. Jaffry Cler Assm

Eodm, Die.

In Councill

Concurred R Waldron

Eodm Die.

In the house of Representatives

[P. 405.] Wednesday November ye 27th 1723 A. M.

The house was sent for up to the Board and were adjourned to tuesday the tenth of December next.

Lt Coll Weare the Speaker took out his Debenture to this Day forty seven Dayes. Capt Samuell Tibbets took out his Debenture to this Day 28 Dayes.

---

Tuesday December ye 10 1723 P. M.

The house met according to adjournment.

Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt Fellows |
| James Davis | | John Gillman |
| Jotham Odiorn | | Mr. Theo Atkinson. |
| John Gillman | | |

The Levt Governour adjourned to Wednesday the 11 Xr 1723.

Wednesday December ye 11th 1723 A. M.

The house met according to adjournment

Psent Mr. Speaker Weare

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt William Fellows |
| James Davis | | John Gillman |
| John Gillman | | John Downing |
| Jotham Odiorn | | Mr. Theo Atkinson |
| Samll Estman | | |

P. M. In the house of Representatives

Voted—That Capt Wm Fellows and Mr Theo Atkinson be the committee of this house to joyne with a comittee of the upper house to tell over the old broken defaced money of ye first Impresson that may be brot in this assembly by those yt have exchanged it that it may be burnt according to the act.

James Jeffry Cler. Assm.

Sent up for concurrence.

A message from the board by Messrs Jaffrey & Walton that the above vote concurred with and Capt Macphedris and Capt John Ffrost be from the Board for the end above s^d^.
[P. 406.]

The house adjourned for two hours P. M.

Wednesday X^r^ y^e^ 11^th^ 1723 P. M.

The house met according to adjournment all psent as in the morning and Mr Justice Estman.

The house adjourned to Thursday December y^e^ 12^th^ 1723 A. M.

---

The house met according to adjournment.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| James Davis | Esqrs | Capt Wm Fellows |
| Jotham Odiorn | | John Downing |
| John Gillman | | John Gillman |
| Saml Eastman | | Mr Theo Atkinson |
| | | Capt Sam Tibbets |

A message from the Board that the Bill for a Triennial assembly was concurred with the amendment.

An act for revivall of the Excise was read and past to be enacted. James Jeffry Cler. Assm.

X^r^ y^e^ 11^th^ (1) 1723.

The act for a Triennial Assembly was read and concurred with; with this amendment; That these words be left out of the act (viz) That his majties Prerogative may not be Infringed.

James Jeffry, Cler. Assm.

Sent up for concurrence.

Eodm Die. In the house of Representatives

Voted—That his honr, the Levt Govr be Desired to give out his warrants to the Tresurer for the payment of the several Sums allowed in the return of the audit of y^e^ 27, 9r 1723.

James Jeffry, Cler. Assm.

Sent up for concurrence.

Thursday X^r^ y^e^ 11^th^ (1) 1723 A. M.

In Councill X^r^ y^e^ 11^th^ 1723.

Whereas great Inconveniency & mischief hath been already experienced and greater may be feared by altering or counterfeiting the bills of credit of this and the neighboring Provinces for prevention whereof in the future—

(1) This should be 12th. Ed.

[P. 407.] Voted—That y^e^ altering or counterfeiting any bills as above shall be Deemed & adjudged fellony &c. and that a bill be prepared accordingly.

R. Waldron Cler. Con.

The vote was read and voted to ly for consideration.

Then the house adjourned for two hours P. M.

Thursday December y^e^ 12—1723 P. M.

The house met according to adjournment all psent as in the morning.

[See Journal of Assembly, pp. 119, 120.]

[P. 408.] Fryday December y^e^ 13^th^ 1723 A. M.

The [house] met according to adjournment.

Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt W^m^ Fellows |
| Jotham Odiorn | | Sam^ll^ Tibbets |
| Sam^ll^ Estman | | John Downing |
| James Davis | | John Gillman |
| | | Mr Theo Atkinson |
| | | Eaph^ra^ Dennit |

In Councill December y^e^ 12 1723.

Voted—That there be an act past within this Province for the better Regulating the curing and cutting of fish and that a Bill be prepared accordingly and that Sam^ll^ Penhallow & John Ffrost Esqrs be of the committee to joyn with such as shall be chosen in the house of Representatives to prepare the said Bill.

Rich^d^ Waldron Cler. Con.

X^r^ y^e^ 13^th^ 1723.

In the house of Representatives.

The above vote Read and concurred and voted that Coll John Plaisted and Mr Theo Atkinson be of the committee of this house to Joyne with the above for y^e^ end above s^d^

James Jeffry Cl^r^ Ass^m^

Sent up for concurrence.

Eod^m^ Die. In the house of Representatives.

The act of Excise being bro^t^ Down from the board for amendment voted this amendment viz—(that instead of halfe a barrell: It shall be said a barrell or Quar Cask

Jas Jeffry Cler. Ass^m^

Sent up for concurrence.

Eod^m^ Die. In the house of Representatives.

Voted—That Mr Justice Eastman be allowed and paid out

of the Treasury the sume of thirty-five shillings for an extraordinary express sent the last sumer from Kingstown to Hatfield.

James Jaffry Cler Assm

Sent up for concurrence.

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[p. 409.]

In the house of Representatives

Voted—That James Jeffry be paid out of the Publick Treasury the sume of Ten pounds for his service as clerk of the assm for the Last yeare from the 29 9r 1722 to ye 29 9r 1723 and that his honr ye Livt Gov be Desired to issue out his warrants to the Treasurer accordingly.

Jas. Jeffry Cler Assm

A message came Down from the Board by Mr Clark Waldron that the last two votes was concurred with.

In the house of Representatives

There being Brot into the assembly (by John Plaisted Esqr one of the Trustees for exchanging the old Broken Defaced bills of credit of this Province) the sume of four hundred thirty-two pounds & seven shillings: as told over by ye comittee appointed for that end: which was burnt in the face of the assembly.

Voted—That the said John Plaisted be Discharged of the sd sume of four hundred thirty-two pounds seven shillings and he is accordingly Discharged.

James Jeffry Cler Assm

Then the house adjourned for two hours p. m.

Fryday ye 13th December 1723 p. m.

The house met according to adjournment all psent as in the morning.

Eodm Die.

In the house of Representatives

Voted—That all acts and Laws made & enacted wth in this Province to ye yeare 1719 except such as are printed be repealed, and that all Laws made and enacted since ye yeare 1719, not in print, be revised by a committee of both houses and laid before the Gen. assembly for theire assent in order to be printed & yt all Laws yt shall be hereafter enacted be Imediately printed and not pleadable or in force untill printed.

Jas Jeffry Clr Assm

Sent up for concurrence.

[P. 410.] Fryday December the 13th 1723 P. M.

A message from the board by Messrs Jaffrey & Archi Macphedris that the vote about the repealing the acts being to Genll the Board can't concurr.

Eodm Die. In the house of Representatives

Voted, That no Laws made & enacted before the year 1719, (except what hath been printed be pleaded in any court within this Province, untill they be supervised by a comittee of both houses chosen for that end & that Coll John Plaisted Esq & Theo Atkinson be off the comittee to Joyne with such as the board shall chuse for the overlooking the said laws and yt they lay them before the Genll Assembly for their approbation in order to have them printed.

James Jeffry Clr Assm

Sent up for concurrence.

The house adjourned to Sathurday ye 14th 1723 A. M.

---

The house met according to adjournment

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt Wm Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | | John Gillman |
| Samuell Estman | | Samll Tibbets |
| | | Mr Ea. Dennit |
| | | Theo Atkinson |

Samuell Estman took out his Debenture to this Day twenty six Dayes in the whole.

Capt Samll Tibbets took out his Debenture from ye 27th of 8r ye 1722 to ye 14 Xr ye 1723 for thirty six Dayes.

Levt Coll Weare took out his Debenture to this Day for 53 Dayes.

Capt John Downing took out his Debenture from July 2d 1722 to the 14 December 1723 seventy two Dayes.

[P. 411.] The act about the succession in the ministry of Portsmouth was read and Past to be Ingrost

James Jeffrey Clr Assm

Eodm Die.

In the house of Representatives

Voted That his honr the Levt Governor haveing the whole Burthen of the Government as commander in chief Devolved & continued upon him, be presented with the Sume of one

hundred pounds for his Extraordinary Service Don the Government & to be paid out of y^e^ Publick Treasury.

James Jeffry, Cl^r^ Ass^m^

Province of New-Hampshire.

Whereas the Gen^l^ Assembly of y^e^ Province appointed to view and find out a convenient place for building a bridge over Lamp^r^ River that soe it might be made to Stand ag^t^ the force of floods coming Down y^e^ River & we the subscribers being the Maj^r^ Part of s^d^ Comittee that met at time and place appointed did view and find out a place which in our best Judgm^t^ is at the Picked rock so called a little above y^e^ first Dam on s^d^ River w^h^ wee according to our understanding think the most proper place to erect the Bridge.

Given under our hands this 12 of July 1723. Sha. Walton, Edward Ayers, John Plaisted.

I Benja. Thomas being appointed by the hon^ble^ the Lev^t^ Governour Councill & Representatives conven'd in Gen^ll^ Assembly to be one of the Comittee to view Lampree River and make report of the most convenient place to build a bridge over it but not having seasonable notice to go with the rest of the Gen^t^ of y^e^ Comittee These may Certify I have been there and viewed the river & am of opinion w^th^ the other Gen^t^ that at a Picked rock upon the Lower falls near the old Dam is the most conven^t^ Place for s^d^ Bridge.

Given under my hand this 13 X^r^ 1723. Benja Thomas.

X^r^ y^e^ 14, 1723. Inthe house of R. voted the above return be accepted.

J J Cl^r^ Ass^m^

[P. 412.] X^r^ 14^th^ 1723 A. M.

The act for Triennial Assembly read and past to be enacted.

the act for revivall of Excise read and past to be Enacted, and that noe Sloop or vessell sell from on board s^d^ Sloop or vessell noe less Quantity of wine rum or other Spirits than a barrell or Quarter Cask.

Eod^m^ Die.

In the house of Representatives

Voted, That M^r^ Agent Newman be presented with y^e^ Sum of one hundred pounds of our Country Money and that a Comittee of both houses be appointed to Draw up Instructions to be Sent him, viz. to preferr the triennial act, to Endeavour the procuring the Stores mentioned in his Peti-

tion to the L^d^ Justices, and y^t^ he be Desired to Desist meddling with the province lines unless to Defend any thing y^t^ may be preferred as an Incroachment and that M^r^ Speaker Weare, Coll. John Plaisted, Cap. Wm. Fellows & M^r^ Theo. Atkinson be of the Comittee of this house to Joyne with a Comitt^e^ of y^r^ appointment for to Draw up and send such Instructions.

James Jeffry Cl^r^ Ass^m^

Sent up for Concurrence.

Eod^m^ Die.

A message from the board pr M^r^ Clark Waldron y^t^ y^e^ above vote was concurred with, and that Capt Ffrost Mr. Penhallow, Capt Wibird & Mr. Jaffrey Esqrs be ye comittee from ye board for y^e^ end above s^d^

And that his hon^r^ Desired the house to appear at the board—The house went up accordingly—and were prorogued to tuesday the eleventh Day of May next.

| | | |
|---|---|---|
| Coll John Plaisted | Debenture to this Day. | 33 Dayes |
| Jotham Odiorn Esqr | Idem | 37 |
| Mr Ephr^a^ Dennit | Idem | 35 |
| Cap^t^ W^m^ Fellows | Idem | 38 |
| Mr Theo Atkinson | Idem | 25 |

The house Prorogued to the 25^th^ May by Proclamation 1724.

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[P. 413.] Thursday May 25^th^ 1724.

The assembly met according to Prorogation.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Mr. John Redman |
| James Davis | | John Sandburn |
| Jotham Odiorn | Esqrs | Capt W^m^ Fellows |
| John Gillman | | John Downing |
| | | Eaph Dennit |
| | | Theo Atkinson |
| | | John Gillman |

A message from the Lev^t^ Gov^r^ for the house to appeare at the Board who went up accordingly. The house returned and expected the Lev^t^ Govornours speech which was Bro^t^ Down by Mr clerk Waldron in the house P. M. the Lev^t^ Governours speech was read.

[See Journal of Assembly, p. 128.]

Eod^m^ Die.

In the house of Representatives

Voted—That John Plaisted Esq Mr Theo Atkinson and Capt W^m^ Fellows be a committee of this house to answer the Lev^t^ Governours speech.

Jas Jeffrey Cler Ass^m^

[See Journal of Assembly, p. 129.]

Eod^m^ Die.

In the house of Representatives

Voted—The house is adjourned to Tuesday y^e^ 26 A. M.

---

Tuesday May 26 1724. The house met according to adjournment all psent as yesterday.

[P. 414.] Tuesday May 26^th^ 1724 A. M.

Voted— In the house of Representatives

That the late Treasurer Geo Jaffry Esqr be ordered to lay the Province accompts before the assembly.

Jas Jeffry, Cler. Ass^m^.

Eod^m^ Die.

In the house of Representatives

Voted—That Maj^r^ John Gillman Mr Theo Atkinson & Cap^t^ W^m^ Fellows be a comittee of this house to audit the Province accts for the yeare 1723.

Jas Jeffry Cler Ass^m^

A message from the Board by Mr. Clerk Waldron y^t^ y^e^ above vote was concurred w^th^ and that Coll Hunking Capt Macpheadris & Capt Wibird are appointed from the board to joyn in that affaire.

The comittee went out accordingly.

The house adjourned for two hours.

Tuesday May y^e^ 26, 1724 P. M.

The house met according to adjournment all psent as in the morning & Mr Justice Eastman.

Eod^m^ Die. In the house of Representatives

That whereas Capt Tim^o^ Gerrish was Lately a Representative for the Town of Dover and he is now Removed into another province ordered that Mr Speaker Issue out his warrant to the sheriff Directed to the Selectmen of Dover to make choice of another Representative in the room of s^d^ Gerrish to appeare this session.

James Jeffry Clr. Ass^m^

[P. 415.] P. M. In the house of Representatives

Voted—That Mr Theo. Atkinson, Capt W^m Fellows & Jotham Odiorn Esqrs be of the comittee from this house to joyne with a comittee of the upper house to accompt & receive the old Bills of credit of each sort that is to be burnt this assembly & make theire return to the assembly.

James Jeffry Clr ass^m

Then the house adjourned to Wednesday nine oclock A. M.

---

## Wednesday May 27^th 1724 A. M.

The house met according to adjournment all psent as yesterday & Capt Sam Tibbets.

[P. 416.]

The accompt of George Jeffry Esqr, Treasurer and receiver Generall of his Maj^ties Revenue w^thn y^e Province of New Hampshire for y^e yeare 1723.

| | | | |
|---|---|---|---|
| The said accomptant chargeth himselfe with £36, 19, the Ballance Due from Samuell Penhallow Esq Late Treasurer on his last acct cur^t rec'd p^r order of y^e Gen^ll assembly | £36 | 19 | |
| The s^d accomptant chargeth himselfe w^th sundry provisions ammunition & stores rec'd p^r order y^e Generall Assembly | £125 | 11 | 2 |
| The s^d accomptant chargeth himselfe with 38, 18, rec'd from Jotham Odiorn Esqr on acct of Impost | £38 | 18 | |
| The s^d accomptant chargeth himselfe with £6, 10 recd of Joseph Mead on acct of his Bond | £6 | 10 | |
| The s^d accomptant chargeth himselfe w^th £899, 8, province Bills of credit pr order of the Gen^ll assembly | £899 | 8 | |
| The s^d accomptant chargeth himselfe with £72 13 9 Rec'd of Clement Hughes excise officer | £72 | 13 | 9 |
| The said accomptant chargeth himself with y^e sume of £1028 a Tax on y^e severall Towns within the Province | £1028 | | |
| | 2510 | 4 | 11 |
| The s^d accomptant Dischargeth himselfe by sundry payments as pr acc^t on file in y^e clerk con^ll office | £2350 | 15 | 4 |
| his 2½ p c^t for paym^t of s^d sum £2350 15 4 £58 15 6 | | | |
| £2394 10 10 | | | |
| The s^d accomptant chargeth himselfe with the sume of 302 5 of y^e 2000^lb pr order of the assembly | £302 | 5 | |
| [P. 417.] The accomptant Debts Bro^t forward | £2510 | 4 | 10 |
| his accompt to Discharge am^t to | £2394 | 10 | 10 |

| | | | | |
|---|---|---|---|---|
| outstanding in Constables hands | | | | |
| Pd short by y^e Town Hampton | £3 | 2 | 11 | |
| D^o by Const Exeter | £34 | 1 | 3 | |
| D^o by Const Kenistone Greenland | £ 4 | 9 | 3 | |
| D^o By Const Kingstown | £ | 14 | 11 | |
| D^o by Gosper | £19 | 5 | — | £61 13 5 |

Wee whose names are under written being appointed a comittee to audit the accts of Province of New Hampshire for y^e^ yeare 1724—Do allow as fall^th^

| | | | |
|---|---|---|---|
| No. 1. | An acct signed Robert Coats for work and necessaryes for y^e^ fort W^m^ & Mary am^o^ to £29 10 3 £19 1 5 being p^d^ by Mr Jaffrey the Treasurer so remains Due & allowed | £10 | 10 10 |
| No 2. | An Acct for work as above signed Rich'd Perry am^o^ to £19 8 p^d^ by money from the Treasurer & old Iron £17 rem^s^ D. allowed | £ 2 | 8 |
| No. 3. | Mr Treasurer Jaffry acc^t^ allowed & Due to the Province £19 4 8 besides outstanding w^th^in the Constables hands | £61 | 13 5 |
| Some small stores, Hatchets, powder &c. which Mr Penhallow must be Debted with. | | | |
| An acct signed John Ffrost in behalfe of Robert Sanders of the Isle of Sholes as express allowed and an order on y^e^ constables of Gosper out of y^e^ Province Rate | | £2 | |
| Benj. Ackerman for service & expresses | | £7 | 10 |
| Allowed Mr Waldron Clerk of y^e^ Councill as clerk of y^e^ councill & extraordinary Serv | | £72 | 10 |

[P. 418.] Wednesday May 27^th^ 1724 A. M.

The auditors made theire return of the accts of Mr Treasurer Geo. Jaffrey Esqr and sundry others as entered, be received and allowed and that what is unpaid be paid out of the Publick Treasury.

Jas Jeffry Clr Ass^m^

Of the 150^th^ voted for the fort William & Mary 24^th^ 1723—To Repaire the same according to the vote—

| | | |
|---|---|---|
| The sume of 123 14 6 was Paid as pr Mr Treasurer Jaffrys acct May 26, 1724 | £123 | 14 6 |
| Ball^c^ Due from Mr Geo Jaffry as Treasurer | £19 | 4 8 |

In the house of Representatives

Voted that Ezekiel Moulton of Hampton be allowed and paid out of the Publick Treasury the sume of twenty shillings for carrying two Indians & bringing back y^e^ horses &c. (in y^e^ yeare 1721) from Newbury.

James Jeffry Clr Ass^m^

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[P. 419.] Wenday May y^e^ 27^th^ 1724 A. M.

In Councill May 27^th^ 1724.

Whereas there was an act made & past in y^e^ 13^th^ yeare of King William of Blessed memory forbiding any pson to abuse his maj^tie^ name & authority in pretending him or themselves to be a sherrif under sherrif Dep^t^ or Constable which

really were not so upon verry severe pains & pennalties—and whereas there is no provision made ag$^{t}$ Psonating a military officer & abusing his Maj$^{ties}$ name and authority as such by pretending to Impress psons without warrant so to do &c.

It is therefore

Voted—That whereas an addition to y$^{e}$ same act namely That the Penaltie for pretending to be a Millitary officer or assuming a Military Power and authority, where there is none, shall be the same as in the said act is exprest for preventing a civill officer—and further that in the s$^{d}$ additional act the unnecessary firing gunns from the first Day of March to the Last Day of November annually during the Indian Warr in the Towns of Dover Exeter & Kingston & Londonderry shall be prohibited on pain that every offender shall pay forty shillings being convict, &c.

Richard Waldron Cl. Con$^{ll}$

Eod$^{m}$ Die.

Read in the house.

The house adjourned for two hours P. M.

Eod$^{m}$ Die. Read and concurred with this amendment, viz y$^{t}$ y$^{e}$ Towns of Stratham Greenland & Newington be added & y$^{e}$ penalty be but ten shillings and if the Delinquent hath not money to pay y$^{n}$ to be punished at the Discretion of y$^{e}$ Military officer in y$^{e}$ town w$^{r}$ y$^{e}$ offence was comitted and y$^{t}$ no man fire without leave from his comiss$^{n}$ officer.

J J Cl$^{r}$ Ass$^{m}$

[P. 421.] Wedness Day May 27$^{th}$ 1724, P. M.

The house adjourned to thursday May the 28$^{th}$ 1724, A. M.

---

Thursday May 28$^{th}$ 1724, A. M.

The house met according to adjournment.

all Psent as yesterday

Eod$^{m}$ Die

In the house of Representatives

Voted—That M$^{r}$ Speaker Weare be of the Grand Comittee for the 15000 in the Roome of Coll. Thomas Packer Deceased.

James Jaffry Cl$^{r}$ Ass$^{m}$

Sent up for Concurrence.

A Message from y$^{e}$ Board by M$^{r}$ Clark Waldron y$^{t}$ y$^{e}$ act ag$^{t}$ firing Gunns &c. y$^{e}$ voat y$^{t}$ Coll. Weare to be on[e] of

the Grand Comittee, and the allowance to Ezekiel Moulton were all Concurrd w^th^

The Comittee for Burning the Bills made thiere return. The house adjourned to Fryday May 29^th^ 1724.

---

Friday May 29^th^ 1724 A. M.
the house met according to adjournment
all psent as yesterday.

Eod^m^ Die

Voted—That y^e^ accompts of Geo. Jaffrey Esq^r^ Late Treasu^r^ of the s^d^ Province as returned by the auditors be accepted and allowed Jas. Jeffry Cl^r^ Ass^m^

Sent up

[P. 422.] 1724. Fryday May 29^th^ A. M.
In the house of Representatives

Voted—That there be signed of off the two thousand pounds now Ready Imprest, the sum of Seven hundred Twenty eight pounds Seven Shillings and put into the Treasury for the payment of the Sundry Debts now allowed & remaining due from the Province and other Contingent charges that may happen, and that his hon^r^ the Lev^t^ Gov^r^ be Desired to Issue out warrants for the payments of what is yet unpaid, and for pay^t^ of the Contingencies.

Jas. Jeffry, Cl^r^ Ass^m^

Sent up for Concurrence.

A Message that y^e^ above is concurred with.

Eod^m^ Die. In the house &c

Voted—That there be a Tax of five hundred pounds Laid on the Inhabitants of this Province and that It be Bro^t^ into the Treasury by the middle of Jan^r^ next in money, and that it shall be applyed for Discharging the Support of the Government as the Gen^ll^ Assembly shall order and that an act be Drawn up accordingly and that John Gillman Esq^r^ and M^r^ Theo. Atkinson be of the Comittee of the house to Joyne w^th^ a Comittee of the upper house to Draw up the act accordingly. Jas. Jaffry, Cl^r^ Ass^m^

A Message y^t^ tis Concurred with.

Then the house adjourned for two hours P. M.

[P. 423.] Fryday May 29^th^ 1724 P. M.
The house met according to adjournment.
All psent as in the morning.

Mr Sheriff Gambling Came into the Assembly and Informed the Jaile was not Sufficient and prayed a Comittee to goe and viewe the same.

Eodm Die.

That each town and precinct wthin this Province shall Some time before the first thursday in October next, chooše some proper pson to meet at the Court house in Portsmouth on 2d Day, Then and there agree upon Rules & measures for the New Proportioning the Province Taxes in Each Town & precinct within this Province (the best they can) and make return unto the next Sitting of the Generall Assembly after sd Day for approbation, and that each Town pay the Pson chosen for his Service therein.

Jas. Jeffry Clr Assm

May 29th 1724.

The house adjourned to Sathurday May the 30th A. M.

---

[P. 424.] Sathurday May the 30th 1724 A. M.

The house met according to adjournment. all psent as yesterday (Except Capt. Tibbetts).

Province of New Hampshire.

Wee the Subscribers hereof being a comittee of both houses to accompt and receive and tell over the money of Each Sort, that is to be Burnt this Assembly, Do thus make our Return

| | |
|---|---|
| Rec'd from Geo Jaffrey Esqr of the 15000lb Bank Money | £437: 4: 5 |
| Do from Do on acct of Coll. Packer of ye same | £189: 4: 1 |
| | £626: 8: 6 |
| Rec'd from Geo. Jaffrey Esq Excha of the 5384lb old defaced Bills | £142: 11: 6 |
| Do from Coll Weare for same exchg money | £ 21: 3: |
| Do from John Plaisted Esq Idem | £ 11: 3: 6 |
| Do from Richard Wibird Esq Idem | £ 76: 5: |
| Do from Mark Hunking Esq Idem | £ 31: 5: 6 |
| | £282: 8: 6 |

We rec'd of the fifteen thousand pounds bank money the sume of six hundred twenty six pounds eight shillings & six pence: and of the five thousand three hundred and eighty foure pounds old defaced Bills exchanged the sume of two hundred and eighty two pounds eight shillings and six pence.

In behalf of ye comittee,

Arch. Macphedris
John Ffrost

Jotham Odiorn
Wm Fellows
Theo Atkinson

[P. 425.] Sathurday May 30th 1724 A. M.

[See Journal of Assembly pp. 136, 137]

There was alsoe Burnt in the face of the Genll Assembly from Geo Jaffrey Esq. of the Bank of 15000lb money the sume of foure hundred thirty seven pounds foure shillings & five pence, and from Coll Packer by sd Jaffrey the sume of one hundred eighty nine pounds foure shillings & one penny —as pr the return of the auditors.

Jas. Jeffry clr Assm

[P. 426.]

Eodm Die.

In the house of Representatives

Voted,

That the old prison in Portsmo be sold for the Benefit of the Province to the best advantage by a comittee appointed for that end—and that John Gillman Esq and mr Theo Atkinson be of the comittee of this house to joyne with a comittee of the upper house to Do the same

James Jeffry clr Assm

Sent up for concurrence.

A messa. from ye Board pr Geo. Jaffrey Archi Macphedris & Mr Clr Waldron That this house be adjourned to Wednesday the tenth June next.

---

Wednesday June the 10th 1724 P. M.

The house met according to adjournment

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | Esqrs | Capt Wm Fellows |
| James Davis | | John Downing |
| Jotham Odiorn | | John Gillman |
| John Gillman | | Samll Tibbets |
| Andrew Wiggans | | Mr John Redman |
| Samll Estman | | John Sandburn |
| | | Eaph Dennit |
| | | Theo. Atkinson |

Capt Benja Wentworth sworn and admitted the sherrif made return that Benja Wentworth was returned chosen a proper pson to serve in the Assembly for the Town of Dover in the roome of Capt Timo Gerrish who is removed out of this Province.

[P. 427.] The sd Benja Wentworth appeared and a message was sent up to the Board to signifie as above.

Geo Jaffry Esq and Mr. clark Waldron came down & admᵉᵈ the oath to qualifie him accordingly which was Don and the sᵈ Benjᵃ Wentworth was Received as a member of the house of Representatives for this province.

Eodᵐ Die.

A message from the Board by Geo Jaffrey Esq. who Broᵗ Down the acᵗ agᵗ fireing guns unnecessarily & for amendment viz That each pson in the same Towns mentioned shall be obliged to carry theire gunns to yᵉ meetings wⁿ there is any, under the Penalty of 10*s* for every Default.

Jonathan Moulton of Hampton Desired an allowance of ten Dayes he served under Sev Board and was paid but for foure dayes and made oath to the truth of the same.

Eodᵐ Die

yᵗ the said moulton be paid out of the publick Treasury for ten Dayes service as a centinel.

Jas Jaffry clr assᵐ

[P. 428.] Wednesday June 10th 1724 P. M.

The house adjourned to Thursday June 11th 1724 A. M.

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Thursday June the 11th A. M.

The house met according to adjournmᵗ all psent as yesterday except James Davis Esq.

The Bill for Raising five hundred pounds a Tax this yeare sent up

The act for ascertaining the time of the Redemption of mortgages was alsoe sent up. The act for yᵉ unnecessary fireing of gunns &c. and the vote for the allowance of ten dayes pay to Jonathan Moulton under Sevˡ Board—sent up —all the above concurred with above.

| | |
|---|---|
| Further allowances by the auditors | |
| Clemᵗ Hughes Collector of the Excise Due to the Province from him | £90 : 14 |
| Upon his request he had allowed him abatement | £ 4 : 10 |
| Allowed | £86 : 4 |
| John NewMarsh for ye Boat | £26 : 13 |
| Joseph Moulton acct | £ 3 : 2 |
| Joseph Moses | £ 2 : |
| Mr Small | £ 3 : 13 : 10 |
| for the fort Wᵐ & Mary Stores | £ 9 : 17 : 1 |

[P. 429.] Thursday June 11th 1724 A. M

| | |
|---|---|
| Joshua Babb for Glass, - - - - - - - | £1 : 17 : 2 |
| John Clark - - - - : - - - - - | £1 : 6 : |

Voted That the s[d] Return be accepted & allowed out of the Publick Treasury.

Jas. Jaffrey clr Ass[m]

The house adjourned for two hours P. M.

Thursday June 11, 1724 P. M.

The house met according to adjournment all psent as in the morning except Mr Atkinson.

The house adjourned to fryday 8 oclock A. M.

---

Fryday June ye 12th, 1724 A. M. The house met according to adjournment all psent as yesterday except Mr. Eap. Dennit.

It was moved about allowance for the sherrifs accompt or what the assembly please.

Eod[m] Die.

In the house of representatives voted Mr Gambling as sherrif be allowed and paid out of the Publick Treasury the sume of thirteen pounds for his service Don as sherrif for ye yeare 1723, in full thereof.

Jas. Jeffry clr Ass[m]

[P. 430.] The house adjourned to Sathurday June y[e] 13th 1724 A. M.

---

Sathurday June 13th 1724 A. M.

The house met according to adjournm[t] all psent as yesterday & Mr Eaphraim Dennit.

Maj[r] John Gillman took out his Debent to this day.

D[o] Cap[t] John Gillman to the same time.

D[o] Sam[ll] Eastman to the same time.

Eod[m] Die.

In the house of Representatives

Voted—That his hon[r] the Lev[t] Govern[r] having the whole Government as commander in chief still continued upon him be presented with the sume of one hundred pounds for his extraordinary service don the Goverment in the Time of Warr: and that it be paid him out of the publick Treasury.

Jas. Jeffry Cl[r] Ass[m]

Mr John Redman & Mr John Sandburn took out there Debentures to this Day.

Mr Speaker Weare took out his Debenture to this day.

Eod$^{m}$ Die.

In the house on the return of the auditors upon Mr Benj$^{a}$ Wentworths acc$^{t}$ voted that the return be accepted and allowed the sume of ten pounds five shillings in full of said accompt & p$^{d}$ out of the Publick Treasury.

Jas. Jeffry Cl$^{r}$ Ass$^{m}$

[P. 431.] Sathurday June 13$^{th}$ 1724 A. M.

A message from the Board by Mr Clark Waldron that the house appeare at the Board and they went up accordingly.

The house Returned and was Prorogued to the thirteenth day of October, and alsoe at the same time the house Declared that the vote past for Mr Penhallows having twenty pounds allowed him for his service Don the Province in England was omitted to be entered therefore to be allowed the next sitting of the assembly.

Lev$^{t}$ Cornall[Col.] Davis took out his Debentureto this day.

[P. 432.] Thursday August the 27$^{th}$ 1724 P. M. the house met by speciall summons from the Liv$^{t}$ Gov$^{r}$ and Councill.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| Jotham Odiorn | Esqs | Capt W$^{m}$ Fellows |
| | | John Downing |
| Andrew Wiggans | | Benja Wentworth |
| | | John Gillman |
| John Gillman | | Sam$^{ll}$ Tebbets |
| | | M$^{r}$ John Redman |
| John Plaisted | | Ea Dennit |
| | | Theo Atkinson |

Eod$^{m}$ Die. In the house of Representatives

Voted that there be forty men (officers & saylors included) Imprest and sent to joyne those of the Massachusetts for an expedition now carrying on into the Indian enemies country, and that his hon$^{r}$ the Liv$^{t}$ Governor Is hereby Desired to issue out his orders for Getting the men & a vessell for Transporting them.

Sent up for concurrence.

Jas Jeffry Clr. Ass$^{m}$

A message from the Board P$^{r}$ Coll Walton Ar Macphedres and Mr Clr Waldron y$^{t}$ the house stands prorouged to the 13$^{th}$ of 8$^{r}$ next.

[p. 433.] October 13th 1724 p. m.

The house met according to Prorogation.

Psent Mr Speaker Weare.

John Plaisted
John Gillman
Capt Wm Fellows
John Downing
John Gillman
Mr John Redman
Eaphra Dennit

A message from the Board by Geo. Jaffrey & Archibald Macphedris Esqr that his honr the Livt Governr had recd his Majties orders to Call Jotham Odiorn Esq to the Board and that he was taken and sworn accordingly.

Eodm Die.

In the house of Representatives

Whereas Jotham Odiorn Esqr is now remov'd from this house to be of his Majties Councill for this Prov. Ordered that Mr Speaker Weare Issue out his warrant to the sherrif Directed to the selectmen of New Castle to make choice of another Representative in the Room of the sd Jotham Odiorn Esqr to appeare at the next sitting of the assembly.

Jas. Jeffry Clr. Assm

A message from the Board by Mr Geo. Jaffry Jotham Odiorn & Mr clark Waldron that the house was prorouged to Munday ye 16th November next.

[p. 434.] Capt Andrew Wiggans took out his Debenture to the 19th November 1724

Capt Tebbets Idem.

Jotham Odiorn Took out his Debenture to the Time of his Going to be admitted to the Councill Board.

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Xr ye 12th 1724.

I John Gillman of Exeter Do obleidge my selfe to supply such scouts as may be sent me by ye Government at 12d Pr Day each man for the hundred pounds I am now to receive and yt I Deliver each souldier 14oz of Bread & 14oz Pork pr day.

Wittness my hand to ye agreemt

John Gillman.

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Capt Wm Fellows, Mr Eaphraim Dennit & John Plaisted Esqrs had theire Debentures to the 12th of Xr 1724.

NOTE BY THE EDITOR.

The *Journal of the House* which follows, from November 16th, 1724, to November 17th, 1738, is copied from the MS. Journal in the Secretary's office, in a bound volume, labeled "Journal of the House 1724—1748." The pages in the margin correspond with those in the MS. Journal.

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[P. 1.] Munday November the 16: 1724 P. M.

The house met according to Prorogation.

Psent

John Plaisted, James Davis, Andrew Wiggans, John Gilman, Sam[ll] Eastman } Esqrs

Capt John Downing, John Gillman, Sam[ll] Tibbets, Benj[a] Wentworth, M[r] John Redman, John Sandburn, Eaphraim Dennit, Theo Atkinson

Eod[m] Die In the house of Representatives the Speaker not appeareing The house proceeded to the Choice of a Speaker Protempore And John Plaisted Esq[r] was Chosen Speaker Protempore Nem Con &c

Ordered that Capt John Gillman & Capt Benj[a] Wentworth wait upon the Liv[t] Govornor at his house and Signifie to him that there is a house and that John Plaisted Esq[r] is Chosen Speaker protem.

A Message from the Liv[t] Govornor By Jotham Odiorne Esq[r] & m[r] Clerk Waldron; That it is his hon[rs] Desier y[t] this house wait upon him at his house. Which was Don.

And then the Liv[t] Govornor Made a Speech & Gave a Copy thereof as on fyle and then the house adjournd to tuesday nine a Clock A. M.

[See Journal of General Assembly, p. 148.]

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Tuesday November 17, 1724 A. M.

the house met according to adjournment all psent as yesterday.

In the house of Representatives

the Liv[t] Govorn[rs] Speech was read & voted that Maj[r] John Gilman & Andrew Wiggans Esq[r] and mr Theodore Atkinson be a Committee of this house to Draw up an Answer to

the Liv$^{t}$ Governors Speech & present it to the house for Concurrence.

Ja Jeffry Cler Ass$^{m}$

Eod$^{m}$ Die. In the house of Representatives

Voted, That Maj$^{r}$ John Gillman & Andrew Wiggans Esq$^{r}$ with Mr Theodore Atkinson be a Comittee of this house to joyn w$^{th}$ a Committee of the upper house to audit the acct$^{s}$ & Muster Roles Bro$^{t}$ in this Sessions.

James Jeffry Cle$^{r}$ Ass$^{m}$

Sent up.

[P. 2.] Then the house adjourned to three a Clock P. M.

Tuesday 9$^{r}$ 17 1724 P. M. the house met according to adjournment all psent as in the morning and the Comittee went out upon the audit. Then the house adjourned to Wednesday Nine a Clock A. M.

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Wednesday November the 18$^{th}$ 1724 A. M.
the house met according to adjournment all psent as yesterday. The Comittee of accompts Made return which was withdraw$^{d}$ againe.

The house adjourned for two hours.

Wednesday 9$^{r}$ 18 P. M. the house met according to adjournment all psent as in the Morning.

M$^{r}$ Sherrif Gambling made Return of the Precept Given him to Send to New Castle Select Men for an assembly man. Who made return that they had made him None as p$^{r}$ the writ or precept on file.

Eod$^{m}$ Die. The return of the Comittee for making a rule for New Proportioning the Severall Towns in this Province Made their Return and humbly Submitted the Matter Might be referred for about Six Months & Signed Nathaniel Weare Cle$^{r}$

In Councill 9$^{r}$ 18 1724 Read and adopted. R Waldron Cler Con.

Eod$^{m}$ Die In the house of Representatives
read and concurred with this amendment that it be deferred during the Indian Warr.

Jas. Jaffry Cl As.

Sent up for concurrence.

Eod$^{m}$ Die. A Message from the Board by Jotham Odiorne Esq$^{r}$ that the above vote was concurred with the amendment.

Then the house adjourned to Thursday 19$^{th}$ 9$^{br}$ 1724 A. M.

Thursday the 19th 9r 1724 A. M.

The house met according to adjournment all psent as yesterday.

Then the house adjourned to three P. M.

Thursday 9r 19 1724 P. M.

The house met according to adjournmt all psent as in ye morning.

The house adjourned to fryday the 20th 9r.

[P. 3.] Fryday November the 20th 1724 A. M.

The house met according to adjournment all psent as in the foregoing Meetings.

Then the house adjourned to three a Clock P. M.

Fryday ye 20 P. M. The house met according to adjournment all psent as in the morning.

Eodm Die. Joseph Smith of Stratham by a Note under the hand of Moses Conner Certified that Said Smith had served ye Province as a Soldier under Livt Beard(1) and was not Entred in the Muster Role and upon Capt Wiggans averring he Imprest him & that he was in ye Province Service. Voted

That the Said Joseph Smith be allowed and paid out of the Pubr Treasury Seventeen Dayes as a Cenl

Jas Jeffry Clr Assm

The house adjourned to Sathurday nine a Clock A. M.

---

Sathurday 9r 21st 1724 A. M.

The house met according to adjournment all psent as yesterday.

Eodm Die. In the house of Representatives

A motion be made for allowance for Peter Colcord for that he had been Taken by the Indians and Kept a Captive with them som time ; and by his Ingenuity and Courage made his Escape from them, And Brings an accompt of their Settlement and proceedings which may be of advantage to the Government hereafter. Its agreed to make him a present when thers a full house.

A Messa from the Board pr Mr Odiorne and the Clerk of the Con. that the assembly Was adjourned to Munday ye 23d at 12 of the Clock and accordingly they are adjournd.

(1) *Errata.* On p. 383, for "Sev Board," read Lev. Beard. Ed.

Munday November 9r 23d 1724.
The house Met according to adjournment.
Psent Mr Speaker Weare
John Plaisted, Andrew Wiggans } Esqrs
Capt Wm Fellows
Saml Tebbets
Mr John Redman
John Sandburn
Ephra Dennit
Theo Atkinson
The house adjourned to Tuesday 9 a Clock A. M.

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[P. 4.] Tuesday November 24, 1724 A. M.
The house Met according to adjournment all Psent as yesterday Except Mr Ephraim Dennit and there came Capt John Gillman, Saml Eastman Esqr
Then the house adjourned to Wednesday 9r ye 25th 1724.

---

Wednesday November 25th 1724 A. M.
The house Met according to adjournment all Psent as yesterday and Mr Epr Dennit was sent for up to the Councill Board to hear ye argument upon Hampton Petition and went up accordingly. The Same Petition Pleaded to on both Sides and Then the house adjourned to three a Clock P. M.

Wednesday 9r 25th 1724 P. M. the house met according to adjournment, all psent as in the morning & Majr John Gillman.

In Councill 9r 25th 1724.

The Petition of the Comoners of hampton being read and fully argued on the part of the Petitioners & on the Part of the Town of Kingston before his honor the Livt Govornor & the Councill & assembly and thereupon Voted: That a Comittee of both houses be Chosen to Meet in the recess of the Court who Shall give Seasonable advertisements at hampton for all psons yt have a Claime in the New plantations to bring in and produce ye Same and likewise to the Comoners of hampton to appeare at the Same time and Shew to whom they have made Satisfaction for their New plantation Rights, in order that his honr and the Generall Assembly may have a full understanding of the pmises and order thereon as to

Right and Justice doth appertain & y^t^ the Comittee Make report at the next Spring Sessions.

R^d^ Waldron Cler Con

Eod^m^ Die. In the house of Represen^t^.

The above vote being read and ordered to ly till Tomorrow for Consider^a^

Then the house adjourned till Thursday 9 a Clock A. M.

---

Thursday November 26, 1724, A. M.

the house met according to adjournment all psent as yesterday.

Whereas it is found by experience y^t^ there is a great inconveniency attending Severall Towns in this Province who are obliged to Support a Gramer Schoole by act of Gen^l^ assembly which Induces a very Great and unnecessary expense upon the Said Towns without the Least advantage thereby, Therefore In Councill 9^r^ 26, 1724,

[P. 5.] Voted—That the Said act respecting Gramer Schools be Repealed & y^t^ there be one Established free School to be Supported at the Province Charge at Portsmouth and that the Town of Portsmouth pay one Quarter part of the Charges, and that the other Towns pay in proportion to their Province Tax and that a Comittee of Both houses be appointed to obtain and agree with a Suitable pson to Settle as School Master, and that a Bill be prepared accordingly.

R. Waldron Cler Con

Eod^m^ Die.

In the house of Representatives Read & Noncurr'd

Ja^s^ Jeffry Cler Ass^m^

Then the house adjourned to three a Clock P. M.

Thursday 9^r^ 26, 1724, P. M. the house met according to adjournm^t^ all psent as in the morning except m^r^ Plaisted.

here a Vote past for Limitting the Time of Laying out Grants was past & Sent up as pr y^e^ vote on fyle & y^n^ the house adjourned to Fryday.

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Fryday Nov^r^ 27^th^ 1724, the house met according to adj^rt^ all psent as yesterday.

Eod^m^ Die. a vote passed for Repealing part of an act entituled an act for Maintaining & Supply of the Ministry within this Prov. &c. Giving the Choice of the Ministry to the freehold-

ers and that it shall be Now in the power of the Church of Each Pish or precinct within this Province to Make Choice of a Minister where wanting, and then to present him So Chosen to the Congregation for acceptance, and if Chosen by y^e^ Majority of the Church and freeholders at Such Meeting then that to be the Settled Minister, and if it happen y^t^ y^e^ Churches choice be not accepted at Such meeting then the Difference to be Decided by the next three or five adjacent Churches &c

Voted that an act be Drawn up accordingly

Sent up for Concu^r^

A Message from the Board pr Geo Jaffrey Esq^r^ that the above vote be Deferred for Consideration to the Next Sess^ns^ which was Don accordingly,

A Message from the Board pr Geo Jaffrey Esq^r^ that it is the Desier of the upper house that this house would reconsider the vote past for an act ag^t^ Trespassers Bro^t^ in Last Sessions.

And also a Petition of Sundry Indians y^t^ Served this Prov in the Canada Expedition for theire Guns.

Eod^m^ Die In the house of Representatives

The additionall act ag^t^ Trespassers was read three times & past to be engrost and to Continue for five years. John Plaisted Esq^r^ Enters his Dissent ag^t^ the Said act.

Then the house adjourned for two hours P. M.

Jas. Jeffry Cl^r^ Ass^m^

[P. 6.] Fryday 9^r^ 27^th^ 1724, P. M.

the house met according to adjournm^t^ all psent as in the Morning Except M^r^ Eplr Dennit

Eod Die, the auditors Made return on the Treasurers accompts which was accepted and ordered that the Treasurer form his accompts accordingly in order to be Discharged.

James Jeffry Cler Ass^m^

Sent up for Concurrence.

Eod^m^ Die. A Message from the Board By Geo Jaffrey & John Frost Esq^rs^ with the above vote, and that it was the opinion of the upper house to Chuse a Standing Comittee to act in the recess of the Court and to Let the accompts of the Treasurer Ly untill the Spring Sessions, and that y^e^ Treasurer be ordered to Lay a Memoriall before the assembly at psent of the State of the Province to See w^t^ is Necessary to lay in for its Support.

Eod[m] Die. The Comittee of audit whose names are underwritten having Examined the Severall Muster Roles that Lay before us Do return as followeth (viz)

| | | | | |
|---|---|---|---|---|
| No. 1, | a Muster Role Signed | Andrew Glidden for | £108: | 16: 4 |
| 2, | Do | Moses Norris | £ 97: | 7: 9 |
| 3, | Do 2 Roles | John[a] Sandburn | £115: | —: 1 |
| 4 & 5 | Do | John Footman | £ 45: | 15: — |
| 6 | Do | Joseph Roberts | £ 54: | 18: 10 |
| 7 | Do | W[m] Jones | £ 49: | 1: — |
| 8 | Do | Abraham Clark | £ 11: | 7: 6 |
| 9 | Do | W[m] Hill | £ 17: | 2: 8 |
| 10 | Do | John Prescot | £ 50: | 3: 4 |
| 11 | Do | Benj Wentworth | £ 99: | 13: 2 |
| 12 | a Portleidge Bill Signed | Walter Stuart as Master & Steward in the Schooner with Capt Wentworth to the Eastward | £ 17: | 14: 6 |
| | | | £666: | 10: 0 |

all the above Muster Roles being examined wee find y[m] Right Cast and well voucht amounting in all to Six hundred Sixty Six pounds ten Shillings: and as to the twelve Small Rols follow wee have examined and find that they are Trantient Scouts Except Meads No 16 which we allow When Sworn to.

[p. 7.] John Gillman — Mark Hunking
Andrew Wiggan — Richard Wibird
Theo Atkinson — John Frost

Eod[m] Die In the house of Representatives,

Voted,

That Peter Colcord be allowed and paid out of the Treasury the Sum of ten pounds: as a present from this Government when he returns from his psent March after the Indians.

James Jeffrey Cl[r] ass[m]

Sent up for Concurrence

Eod Die. In the house of Representatives,

Voted that there be allowed to Samuel Penhallow Esq[r] twenty pounds New England Money for his Good Service Don when in Gre[t] Brittaine.

James Jeffry Cle[r] Ass[m]

Sent up for Concurrence.

Eod Die. a Message from the Board pr Jotham Odiorne Esq[r] that the above Votes Smiths, Colcord and Penhallows was concurr'd with.

Eod[m] Die. In the house of Representatives

Voted That all Small Schouts of three dayes and upwards be allowed and paid wages, and have their Provisions allowed them as other Souldiers in the Service have.

James Jeffry Cle[r] Ass[m]

Sent up for Concurrence

Eod$^{m}$ Die. The above vote return'd and nothing Don upon it. It being the case of Each Town to run out occasionally in Such Small Schouts

Eod$^{m}$ Die. In the house of Representatives,

Voted, That all Those Small Schouts that hath been out for three or four dayes at a Time be allowed theire provissions and those that have not had it but found themselves be allowed and paid out of the Treasury one Shilling pr day in Money. James Jeffrey Cl$^{r}$ Ass$^{m}$

Sent up for Concurrence.

a Mess$^{a}$ from the Board y$^{t}$ y$^{e}$ above vote was concurred w$^{th}$.

Then the house adjourned to Sathurday 9$^{r}$ 28$^{th}$ 1724 A. M.

---

Sathurday November 28$^{th}$ 1724 A. M.

The house Met according to adjournment all Psent as yesterday.

[P. 8.] a Message from the Board by m$^{r}$ Cler Waldron that the upper house Desir'd to withdraw theire vote relating to y$^{e}$ hampton Petition Which was Don accordingly, alsoe a Message pr Geo Jaffrey Esq$^{r}$ who Brot Down our vote, for a Bill for Limitations of Grants that it be Left for further Consideration. Which was agreed to.

Eod$^{m}$ Die. In the house of Representatives

The Question being put what Quantitie of Money Should be printed It past for £3000 as pr the vote on fyle.

M$^{r}$ Sandburn and his partner Delegates for Kingston Desired m$^{r}$ Clem$^{t}$ Hughes Might be allowed attorney for Kingston in Relation to the Petition, which was Granted. Cap$^{t}$ Sam$^{ll}$ Tibbets took out his Debenture to this day.

Then the house Adjourned to Wednesday December y$^{e}$ 9$^{th}$ 1724.

---

Wednesday X$^{r}$ the ninth, 1724.

The house met according to adjournment.

Psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted<br>James Davis | Esqrs | Capt William Fellows<br>John Gillman<br>Mr John Redman<br>Eaph$^{r}$ Dennit<br>Theo Atkinson |

The house adjourned to Thursday X$^{r}$ 10$^{th}$ 1724 A. M.

Thursday X^r the 10^th 1724 A. M.

The house met according to adjournment all psent as yesterday, and Maj^r Gillman
John Sandburn

Then the house adjourned to 3 a Clock P. M.

Thursday X^r 10^th 1724 P. M. the house Met according to adjournment all psent as in the morning & Samuel Eastman Esq^r

a vote past for Imprinting three thousand pounds.

Eod^m Die. In the house of Representatives

Voted—That Cap^t W^m Fellows & Mr Theodore Atkinson be of the Comittee of this house to Joyne a Comittee of the upper house to tell over the old Broken Defaced Bills of the first Impression that may be Bro^t in to be burnt this assembly.

[P. 9.] James Jeffry Cl^r Ass^m

y^e votes for Raiseing 2 M. pounds Should be Entred here.

(See Journal of General Assembly, p. 159.)

Then the house adjourned to Fryday X^r y^e 11, 1724 A. M.

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Fryday X^r the 11^th 1724, A. M. The house met according to adjournment all psent as yesterday.

Eod^m Die. In the house of Representatives

Voted: that one hundred pounds of the Two thousand now to be Impressed be put into the hands of Maj^r John Gillman Esq^r by the Signers thereof to purchase Pork & Bread for y^e use of the Province to Supply Such Scouts as Shall be Sent to him by the Government

Jas Jeffry Cl^r Ass^m

Sent up for Concurrence

Eod^m Die. a Message from y^e Board the above vote was concurr'd w^th

Eod^m Die. a vote past for paying James Jeffry ten pounds in full for his Service as Clerk of the assembly from 9^r 29^th 1723 to y^e 29^th 9^r 1724

S, Peter Weare

Sent up for Concurrence.

Eod^m Die. In the house of Representatives,

Voted: That James Davis Esq^r be paid out of the public Treasury the Sum of Eight pounds Six Shillings in full Disch^a of his Service as a Comittee man for the Settling & runing y^e Province lines in y^e yeare 1719 & 1720.

James Jaffry, Cler. Ass^m.

Sent up for concurrence

Eod$^{m}$ Die In the house of Representatives,

The Comittee for Exchange of the Bills of the old Impression brot in £204 : 5 : which was burnt to ashes in the psence of the Generall Assembly viz

| | |
|---|---|
| By Richard Wibird | £103 : 13 : 9 |
| Geo Jaffrey | 36 : 16 : 3 |
| Peter Weare | 26 : 18 : 6 |
| John Gillman | 36 : 16 : 6 |
| | £204 : 05 : |

off which S$^{d}$ Sumes they are Discharged

Jas. Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die.

of the Same Money Bro$^{t}$ in by John Plaisted £51 : 18 :
Mark Hunking 29 : 15 : 6

of which S$^{d}$ Sumes Each are Discharged, £81 : 13 : 6

James Jeffry Cl$^{r}$ Assembly

---

[p. 10.] Fryday y$^{e}$ 11$^{th}$ 1724 A. M.

In the house of Representatives,

Voted that the reverend Henry Rust be presented with forty Shillings for his Service attending his hon$^{r}$ the Liv$^{t}$ Governor to y$^{e}$ Eastward at horneck the Indians burial.

Ja$^{s}$ Jeffry C$^{lr}$ Ass$^{m}$

Sent up for Concurrence

A Certificate Signed Benj$^{a}$ Gambling Sherrif y$^{t}$ he Impressed Moses Welch to carry a letter to Coll Waldron about three years agoe, Was Read and voted nothing to be allowed him Sent up. Ja$^{s}$ Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die. In the house of Representatives,

Voted, That John Plaisted Esq$^{r}$ Cap$^{t}$ William Fellows & M$^{r}$ Theo Atkinson be a Comittee of this house to Joyn with a Comittee of the upper house to receive & examine the Province accompts in the recess of the ass$^{m}$ and Make them ready to Lay before y$^{e}$ ass$^{m}$ for allowance the next Sessions.

James Jeffry Cl$^{r}$ ass$^{m}$

Sent up &c

Then the house adjourned for two hours P. M

Fryday y$^{e}$ 11$^{th}$ 1724 P. M. the house met according to adjourn$^{t}$ all psent as in the morning
& Cap$^{t}$ Tibbets.

[p. 11.] Eod$^{m}$ Die. In the house of Representatives,

Voted, That m^r Speaker Weare & John Plaisted Esq^r be of the Comittee of this house to joyn with a Comittee of the upper house for Signing of the Two thousand pounds now to be Impressed.

Sent up &c Coll Hunking & Geo Jaffrey of y^e upper house.

James Jeffry Cler Ass^m

Eod^m Die. In the house of Representatives

Voted, That there be twenty pounds pr annum added to the form^r Establishm^t of the officers and Souldiers at fort W^m & Mary Each one to have four pounds pr annum of Said Sum hence forward paid him out of the Publick Treasury.

James Jeffry cler. Ass^m

Sent up &c.

Eod^m Die. In the house of Representatives,

Voted, That John Plaisted Esq^r & Cap^t William Fellows be of y^e Comittee of this house to joyn with a Comittee of the upper house to Draw up the act for the Two M pounds.

James Jeffry cler Ass^m

Sent up.

a Mess^a from y^e Board pr Jotham Odiorne Esq^r that Geo Jaffry and archi Mac Esq^r be of y^e Comittee of the upper house to Draw up S^d act.

Eod^m Die. In the house of Representatives,

Voted, That Every Souldier in the pay of this Province Schouting or Marching that will Supply himself with full provisions Shall be allowed and paid out of the Publick Treasury Twelve pence pr day for the Same.

James Jeffry Cl^r Ass^m

Sent up &c.

Then the house adjourned to Sathurday y^e 12.

---

Sathurday X^r the 12^th 1724 A. M.

The house met according to adjournm^t all psent as yesterday.

Eod^m Die. Voted that Edward Toogood be paid out of the Publick Treasury the Sume of 1716 in full of his accompt.

Jas. Jeffry Cl^r Ass^m.

Sundry Small Muster Roles Examined and referred to the Gen^ll assembly Numbered in the Margent as followeth

(See Journal of General Assembly p. 166.)

[p. 12.] Eod^m Die. A Bill for Impressing two M pounds was read three times and past to be Enacted.

Eod^m Die. There is an allowance of Seven men as Centinells allowed to be added to Moses Norrises Muster Role.

Ja^s Jeffry Cl^r assem.

Eod^m Die. Jotham Odiorne Esq^r allowed 34 & 3^d for Bread and pork Supplied to the Sloopes Walter Warrens accompt allowed £2 : 2 m^rs Smals ac^t allowed for house rent fire and Candles from 8^r 23 to 8^r 1724 £12 :—

Eod^m Die. Voted that 200lb of the Two M now to be Impressed be Signed off and put into the Publick Treasury.

James Jeffry Cle^r Ass^m.

Eod^m Die.

Voted, That his hon^r the Liv Govornor haveing the whole Govornment as comander in Chief Still Continued upon him be presented with the Sum of one hundred pounds for his Exterordinary Service don the Government in this Time of Warr and that it be paid out of the Publick Treasury.

James Jeffry Cler Ass^m.

Eod^m Die. Voted—That Samuel Penhallow Esq^r be paid the Sume of fifteen pounds for Slops and Stores Delivered Jonathan Chesley before Said Sam^l Penhallow went for England and they to be in full Discharge and if m^r Penhallow Do not accept this Then to be paid & allowed w^t the Comittee Shall allow him in the recess of the assembly.

Jas Jeffry Cl^r ass^m

[p. 12½.] M^r agent Newmans papers was Sent Down from the Board and read.

Eod^m Die. a vote passed for the Liv^t Govornor to Comiss a Man to goe to Canada with those Gent from the other Governments.

Voted—That the Comiss^r to be appointed for to goe to Canada be Supplyed and paid out of the Publick Treasury.

Ja^s Jeffry Cl^r Ass^m

Eod^m Die

Maj^r Gillmans agreement for Supplying the Schouts is Entered in the Latter End of the old ass^m Book.

Then the house was Sent for at the Board and were Prorog^d to Wednesday the fifth of May Next 1725.

Coll Plaisted, Capt Fellows & M^r Dennit took out y^r Debent^rs to X^r 12, 1724.

By the Liv[t] Govorners Proclamation the assembly was Prorog'd to the 17 May 1725.

---

Munday May the 17[th] 1725. The house Met according to Proclamation of Prorogation.

Psent Mr Speaker Weare.

John Plaisted, John Gillman, Andrew Wiggans } Esqrs — Capt John Gillman, W[m] Fellows, Benj[a] Wentworth, John Downing, M[r]. John Redman, John Sandburn, Theo Atkinson

The house went up to the Council Chamber heard the Govorn[rs] Speech & Returned and had it Sent Down to Coppy, Then adjourned to Tuesday May 18[th] 1725 A. M.

[See Journal of General Assembly, p. 168.]

Tuesday may the 18[th] 1725 A. M.

The house met according to adjournment all psent as yesterday & Capt Samuel Tibbets

[P. 12¾.] May 18. In Council May 18[th] 1725.

Voted—That Coll Walton & Capt Mcpheadris Esq[r] be a Comittee to Joyn with others of the house to Count over the Bills of Credit now to be Burnt and that it be Don with all convenient Speed.

Richard Waldron Cler Con

Eod[m] Die. In the house of Representatives,

Voted—That m[r] Ephraim Dennit & m[r] Theo Atkinson be of y[e] Comittee to Joyne with Those above for the Counting over the Bills of Credit Now to be Burnt.

James Jeffry Cl[r] ass[m]

Then the house adjourned for two hours P. M.

May 18 P. M.

The house met according to adjournment all psent as in y[e] morning and Samuel Eastman Esq[r] and M[r] Ea Dennit

May the 18[th] Wee whose Names are here under written being appointed a Comittee to audit the accompt of the Province of New hampshire for the yeare 1725, Do allow as followeth viz

[See Journal of General Assembly, p. 170.]

[p. 13.] Wednesday May 19th 1725

The house met according to adjournment all psent as yesterday.

The Comittees being out telling over the Bills & auditing the accompts the house adjourned to

Thursday Nine of the Clock May the 20th 1725, A. M.

---

Thursday may the 20th A. M. the house met according to adjournment psent Mr Speaker Weare

| | | |
|---|---|---|
| John Plaisted<br>John Gillman<br>Samuel Eastman<br>Andrew Wiggans | Esqrs | Capt John Downing<br>Wm Fellows<br>John Gillman<br>Saml Tibbets<br>Mr John Redman<br>John Sandburn<br>Ea Dennit<br>Theo Atkinson. |

Mr Hugh Adams Booke Came Down from the Board for the Consideration of the House for the Printing it.

(See Journal of General Assembly, p. 171.)

[p. 14.] May the 20th 1725 P. M.

Whereas the Town of Londonderry hath lived under this Govornment for Severall years past and hath neither as yet paid any Rates for the Support of the Govornment Nor Sent any one Represent Said Town in Generall assm

Voted That the Said Town of Londonderry be Notified to Send a Meet pson Duly Quallified to represent them in this assembly and to Bring a list of theire Rateable Estates that they may be assessed accordingly for the Support of the Govornment. James Jeffry Clr assm

and then the house adjourned to Fryday May 21 A. M.

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Fryday May 21st 1725 A. M.

The house met according to adjournment

all psent as yesterday and Capt Benja Wentworth & Coll Davis, the house adjourned for two hours.

Fryday May 21, 1725, P. M.

The house met according to adjournment all psent as in the Morning.

In the house of Representatives,

Whereas the Town of Londonderry hath lived under this Government for Severall years past and hath Neither as yet paid any Rates towards the Support of the Government nor Sent any one to represent Said Town in Generall Assembly

Voted that his honr the Livt Govornor be desired to Send a precept to the Said Londonderry to Send a pson duly Qualified to Represent them in this Generall Assembly at the next fall Sessions and to Bring a List of theire Rateable Estates that they may be rated accordingly.

James Jeffry Clr Assm

Eod Die a Messa from the Board pr Mr Clerk Waldron that the above vote was concurred with.

Then the house adjourned to Sathurday May 22d 1725, A. M.

---

[P. 15.] Sathurday May the 22d 1725 A. M.

The house met according to adjournment all psent as yesterday.

In the house of Representatives,

Voted That all the Publick Bills of Credit of this Province Pass in all Publick payments with out the advance of five pct

James Jeffry Clr Assm

Sent up for Concurrence.

a Messa from the Board that the above vote was concurr'd wth

Mounsr Vodrells Letter by Mr Atkinson to our Governr was Read.

Mr. Atkinsons act of his Disbursements on his Canada Journey amounting to the sum of £248 : 14 : 7
of which is paid by Mr Treasurer as pr his acct 130 : :

118 : 14 : 7

a Messa by Mr Clerk Waldron that the assembly was adjourned to Tuesday the 25, 1725.

Tuesday May the 25th 1725, A. M.

The house met according to adjournment psent Mr Speaker Weare.

| | | |
|---|---|---|
| John Plaisted | | Capt Williams Fellows |
| James Davis | | Sam Tibbetts |
| John Gillman | Esqrs | Benja Wentworth |
| Andrew Wiggan | | John Gillman |
| Samuel Eastman | | John Redman |
| | | John Sandburn |
| | | Eapr Dennit |
| | | Theo Atkinson. |

In the house of Representatives,

Voted for the further encouragement of volluntiers to goe out agt the Indian Enemy.

[See Journal of General Assembly, p. 182.]

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[P. 16.] Wednesday May the 26th 1725.

The house met according to adjournment all psent as yesterday and Capt Downing.

In the house of Representatives,

Voted that the return of the auditors on mr Treasurer Penhallows accompts be accepted and that the accompts be allowed.

James Jeffry Cler Assm

Then the house adjourned for two hours P. M.

Wednesday May ye 26th 1726 P. M.

the house met according to adjournment all psent as in the morning.

Eodm Dic. In Council May the 25th 1725.

Whereas the accompts of mr Treasurer Penhallow from time to time laide before the General Assembly and Especially at the Last and present Sessions have appeared very Irregular & much plexed which has cost the General Assembly and Comitees of audit Many dayes and is a great Expense to the Province in theire attending the adjustment thereof and whereas Sundry Disputes have arisen about allowing the five pct advance on the Bills of Credit of this Province & For the prevention whereof for the future

Voted that the Said Mr Penhallow Dureing his Continuance in the office of Treasurer be allowed and paid out of the Treasury for his Service therein after the Rate of one hundred pounds pr annum in full for his Said Service.

Richard Waldron Clr Con.

Eod$^{m}$ Die. In the house of Representatives read and ordered to ly upon the Table Till tomorrow.

May the 27 1725. In the house of Representatives, the above vote Read and Concurred.

Eod$^{m}$ Die. In the house of Representatives

Voted, That Cap$^{t}$ William Fellows M$^{r}$ John Sandburn and Andrew Wiggan Esq$^{r}$ be a Comittee of this house to joyne with a Comittee of the upper house to view the Stores now lying in m$^{r}$ Treasurer Penhallow hands according to the accompt that is now made up by the auditors and Make return to the General Assembly w$^{t}$ there is and in what Condition they find it. That the assembly may order the Sale of w$^{t}$ is not fit for the Province Service and that the Return be Made Tomorrow at 10 of y$^{e}$ Clock.

James Jeffry Cler Ass$^{m}$

[P. 17.] A Mess$^{a}$ from the Board That Coll Hunking, Capt Wibird & Capt Odiorne Esq$^{rs}$ was appointed to Joyn w$^{th}$ the afforesaid Comittee for the Serv afforesaid.

Then the house adjourned to Thursday the 27$^{th}$

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Thursday may the 27$^{th}$ 1725 A. M.

The house met according to adjournment all Psent as yesterday.

Eod$^{m}$ Die. In the house of Represent$^{a}$

Whereas there is in the Treasurer's hands Sundry Stores returned out of the Sub Commissioners hands & the Eastern Expedition to the value of one hundred thirty Six pounds nineteen Shillings & Eleven pence and out Standing in Constables hands the Sum of forty pounds five Shillings & Ten pence in Greenleaf & Gliddens two pounds 18$^{s}$ & Six pence in all £180 : 4 : 1$^{d}$. Now for the preventing of any Difference in accompts for the future the S$^{d}$ Treasur$^{r}$ proposes y$^{t}$ if the Gen$^{ll}$ assembly will make him allowance of twelve pounds out of the above Said Sum the remaining one hundred Sixty Eight pounds four Shillings and one penny the Treasurer will take the Same to his accompt and be Debted with the Same.

Voted, that the above proposall be accepted and that the Treasurer be Charged with the Sum only of £168: 4: 1, in full of Said accompt of Stores &c.

Then the house adjourned to fryday May y$^{e}$ 28$^{th}$ 1725.

Fryday May the 28th 1725, A. M.

the house met all psent as yesterday Except Capt Tibbetts and voted That theire Shall be henceforward allowed to Each Souldier in the pay and Service of the Province in any Standing Schouts for theire use in the Sumer Ensueing forty Bullets and Six flints, and for Every three months one pound of powder, & and if any Souldier be Exchanged he shall return his bullets and flints not expended in the Service or pay for them, & if any Man be Exchanged in a little Time to return his powder to yt man yt comes in his roome or to his Comandin officer.

James Jeffry Clr Assm

Sent up and Concurred with.

[P. 18.] Fryday May the 28th 1725.

In the house of Representatives,

Whereas there was a mistake in Capt Andrew Wiggans Muster Role of his name and two others viz Thos Vaysey & Samuel Hilton that were not Numbered in it.

Voted, That there be allowed and paid out of the Publick Treasury the Sum of twelve Shillings for theire provisions in said four dayes Scout and that Benja Lamprey be alsoe allowed the Sum of three Shillings he not being numbered in his Muster Role.

Alsoe that Mr Richard Waldron be allowed and paid out of the Publick Treasury the Sum of Seventy three pounds in full for his Service as Clr of the Councill to the 15th of Aprill 1725.

Alsoe that Capt Nathaniel Hill be allowed for Furnishing Timothy Blake & Seven Souldiers three weeks & foure Dayes £10.

Eodm Die. In the house of Representatives,

Voted, That Capt John Knight and thirty-nine men under his Comand be paid out of the Publick Treasury, the Sum of four Shillings Each Man, the Said Role beginning 24 of 7r 1724.

James Jeffry Clr Assm

Sent up and Concurr'd

Eodm Die in the house of Representatives.

Whereas it Doth appear to this house that mr Theodore Atkinson hath faithfully Discharged the Trust reposed in him his Late Negotiation to Canada this house returns him thanks for the Same, and Voted that there be paid him out

of the Publick Treasury (besides what is allowed and paid him already for his Charges) the Sum of fifty two pounds for his Time in Said Negotiation.

James Jeffry Clr Assm

Sent up for Concurrence.

Eodm Die. In the house of Representatives,

Whereas his honr the Livt Govornor hath the whole Govornmt as Comander in Chief Still continued upon him voted That he be presented and paid out of the Publick Treasury the Sum of one hundred and Twenty pounds for his Exterordinary Care & Service Don in the Governmt in this time of warr.

Jas Jeffry Clr Assm

Sent up and Concurred.

[p. 19.] Then the house adjourned to Sathurday ye 29th May, 1725.

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Sathurday May 29th 1725, A. M.

The house Met according to adjournment all psent as yesterday and voted the Severall allowances

| | |
|---|---|
| to Benja Gambling as Sherif for his Servs 1724, | £13 : — : — |
| to Capt Nathanl Hill for 69 lb pork he bot | 2 : — : — |
| to John Wentworth as per his act | 5 : 14 : — |

James Jeffry Clr Assm

The Comittee for Telling over the Money to be Burnt this assembly Made theire Return viz of the Treasurer for the Tax of £1076: 16: Brot into the Treasury for the yeare 1724, £1076: 16

of the Comittee of the £15000 by the hands of George Jaffrey Esqr £300: 12: 4

of the Comittee for Exchanging the 5384 lb viz

| | |
|---|---|
| Coll John Plaisted | £37: 13: — |
| Coll Weare | £40: 14: 6 |
| Capt Wibird | £68: 13: 3 |
| Geo Jaffrey | £84: 11: 3 |
| Coll Hunking | £ 9: 9: |
| | £241: 01: |

Shadrach Walton
Ea Dennit
Theo Atkinson

Eodm Die. In the house of Representatives,

Voted that Each of the above psons be and are hereby Discharged of the above Said Sumes as Carryed of agt theire Names.

James Jaffrey Clr Assm

Eod$^{m}$ Die. M$^{r}$ Clement Hughes Came into the house and agreed to farm the Excise & to pay for the Same from the 31$^{st}$ of December 1723 to the 31$^{st}$ of December 1725 the Sum of three hundred pounds.

Voted That the Said Excise is hereby farmed and Lett to the Said Clement Hughes for the Tearm above, for the Said Sum of three hundred pounds to be paid into the Treasury by Said Hughes in full. Sent up and Concurr'd

Ja$^{s}$ Jeffry Cl$^{r}$ Ass$^{m}$

[P. 20.]

a Mess$^{a}$ from the Board that twas his hon$^{r}$ Desire that m$^{r}$ Speaker & the house Come up to the Council Chamber which they Did & were Prorogued to 23$^{d}$ November 1725.

Maj$^{r}$ John Gillman — John Redman
Capt John Gillman — John Sandburn

and Andrew Wiggan Esq$^{r}$ all took out their Debentures to this Day.

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May the 27$^{th}$ 1725 P. M. omitted in Due place.

In the house of Represent$^{a}$

Voted, that there be Signed off of the two thousand pounds Now ready Impressed the Sum of one thousand pounds and put into the Treasury for the payment of the Sundry debts now allowed & remaining Due from the Province and other contingencies that may happen & that his hon$^{r}$ the Liv$^{t}$ Governor be Desired to Issue out warrants for the payment of what Shall be now allowed and unpaid.

James Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die In the house of representatives,

Voted—That there be fifty three pounds Sixteen Shillings Signed off of the two thousand pounds Last printed and paid into the Treasury to Satisfy him for the fifty three lb Sixteen Shillings which he allowed to the Constables in the Last years rates of £1076, 16, which was burnt to ashes according to act &c.

James Jeffry Cl$^{r}$ Ass$^{m}$

Sent up May 28$^{th}$

concurr'd.

May the 28th 1725. In the house of Representatives

ordered That M$^{r}$ Treasurer Penhallow do forthwith' Call in all y$^{e}$ Interest Money yet Due to y$^{e}$ Province on y$^{e}$ 1730 lb Loan and other Dues Due to the Said Province and accompt for it at the Next Sitting of the ass$^{m}$.

James Jeffry Cl$^{r}$ Ass$^{m}$

[p. 21.] Fryday May the 28th A. M.

In the house of Representatives

Voted—That there be a Tax of five hundred pounds laid on the Inhabitants of this Province and that it be Brot into the Treasury by the Midle of febuary Next in any of the Provinces Bills in New England and that it Shall be applyed for Discharging ye Suport of the Governments as the Genll assembly Shall order and that an act be Drawn up accordingly and that Coll James Davis & Majr John Gillman be of the Comitte from this house to Joyn with a Comittee from the upper house to Draw up the act accordingly.

James Jeffry Clr Assm

Eodm Die. a Messa yt it is concurr'd.

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Munday 9r 15, 1725.

The house met By Speciall Writ from ye Livt Govornor & Comander in Chief.

Psent Mr Speaker Weare.

John Plaisted, James Davis, John Gillman, Andrew Wiggans } Esqrs

Captt Wm Fellows
Sam Tibbets
Benja Wentworth
John Downing
John Gillman
Mr John Redman
John Sandburn
Ea Dennit
Theo Atkinson

In the house of Representatives,

Voted—That Whereas the Ennemy Indians have made overtures of Peace with the Government with whome they have been at Warr & the Place being at Boston appointed for a Treaty, Voted—That Two Psons be Chosen out of this house to go to Boston to assist the Livt Govornor att the Said Treaty in behalf of this Government.

9r 15, 1725. James Jeffry Clr Assm

Sent up for concurrence.

Eod Die. In the house of Representatives,

Voted—That Majr John Gillman & mr Theo Atkinson are the Psons Chosen out of this house for the Service above Said.

Jas Jeffry Clr Assm

Sent up

& concurr'd with & By a Mess[a] Pr m[r] Clerk Waldron that Capt Frost & Coll Walton are appointed above for y[t] end. and the assembly Stands Prorogued to y[e] 23[d] Ins[t]

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[P. 22.] Tuesday 9[r] 23[d] 1725.
The house Met according to Prorogation.
Psent M[r] Speaker Weare

| | | |
|---|---|---|
| John Plaisted<br>Andrew Wiggans<br>James Davis | Esqrs | Cap[t] W[m] Fellows<br>Sam[ll] Tibbets<br>M[r] John Redman<br>John Sandburn<br>Ea Dennit |

and were Prorogued to the 13, X[r] 1725.

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Munday X[r] 13, 1725.
The house Met according to Prorogation
Psent

| | | |
|---|---|---|
| John Plaisted<br>Andrew Wiggans | Esqrs | Capt W[m] Fellows<br>John Gillman<br>John Sandburn<br>John Downing<br>Eap Dennit |

and were Prorogued By the Psident of the Councill to Munday the 20 X[r] 1725.

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Monday X[r] 20[th] 1725
The house met according to Prorogation.
Psent

| | | |
|---|---|---|
| John Plaisted<br>Andrew Wiggans | Esqrs | Capt W[m] Fellows<br>John Gillman<br>John Redman<br>Ea Dennit<br>Theo Atkinson<br>Sam[l] Tibbets |

And were Prorogued to Munday the 27, X[r] 1725.

Munday X^r the 27^th 1725 the house met according to Progation psent,

John Plaisted, Andrew Wiggan, Samuell Eastman, John Gillman } Esqrs

Capt W^m Fellows
John Downing
John Gillman
John Redman
John Sandburn
Ea Dennit
Theo Atkinson,

[p. 23.] A Mess^a from the Board pr M^r Clerk Waldron to know if there were a house. The Speaker being absent the house proceeded to Choose a Speaker Pro Tempore by writeing,

And Coll John Plaisted was chosen Speaker

And then a Mess^a for the Speaker and the house to appeare at the Board, and they went up accordingly and returned, and a Message Came Down with the Gov^r Speech and the Coppy of the Treaty with the Indians at Boston was alsoe Sent Down.

(See Journal of General Assembly, pp. 187–190.)

And then the house adjourned to Thursday X^r the 28^th.

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Tuesday X^r the 28^th 1725, The house met according to adjournment all psent as yesterday &

Capt Sam Tibbets
Coll Ja^s Davis
Capt Wentworth,

Eod^m Die. In the house of Represent

Voted that there be a Comittee of both houses appointed to examin the Muster Roles and accounts now to be Brot in and that m^r Theo Atkinson and m^r William Fellows be a Comittee of this house to Joyn with a Comittee of the upper that Shall be appointed for Said Service.

Jas Jeffry Cl^r ass^m

Sent up.

a Message from the Board That George Jaffrey & John Frost Esq^rs were appointed to Joyn with those above for that end.

Eod^m Die. A Petition of the Inhabitants of Sandy beech was Read praying to be Set off a Distinct District from New castle &c

Then the house adjourned Wednesday X^r y^e 29, 1725

The house met according to adjournment
psent Mr Speaker Plaisted

James Davis
John Gillman
Saml Eastman
Andrew Wiggans
} Esqrs

Capt Wm Fellows
Samuell Tibbets
Benjamin Wentworth
John Gillman
John Downing
John Redman
John Sandburn
Ea Dennit
Theo Atkinson.

[p. 24.] In the house of Representatives

That Whereas the act of Excise of this Province is Neare Expiring

Voted That it be now revived for three years & all Retalers pay Six pence pr Gallon, and Taverns Eight pence pr Gallon Excise; and that none be free from paying Excise for any quantity under twenty five Gallons and that an act be Drawn up accordingly and that andrew Wiggans Esqr & mr Eaphraim Dennit be a Comittee of this house to Joyn with a Comittee of the upper house to Draw up Said act

Jas. Jeffry Clr Assm

Eodm Die

In Council Xr 28th, 1725

Whereas it was ordered by the Genll Assembly the 26 of May Last past upon the Petition of John Cate & others (praying for an addition to the Precinct of Greenland) that ye Selectmen of Portsmouth Should be Served with a Coppy of the Said Petition, who were to Notifie the Said Town to appeare this Day before the Genll Assembly (to Shew Cause if any they had, why the Prayer of the Petition Should not be granted and Whereas the Selectmen were not Served with a Coppy thereof, together with a Coppy of the Said order & this vote forthwith and that the hearing on Said Petition be on tuesday Next, if the Generall Assembly be then Sitting & if not then on the Second day of the Next Spring Sessions

Richard Waldron Clr Con.

Xr the 28th In the house of Representatives
read & Concurr'd James Jeffry Clr Assm

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Decem 29, 1725 In the house of Representatives
upon Reconsidering the Sandy beech Petition & of ye

heareing thereon, and the Greenland Petition interfering with the Sandy beech Petition

Voted—That the Greenland Petition and Sandy beech Petition be both heard on the Second day of the Sitting of the Spring Sessions and that all parties be Notified accordingly

James Jeffry Clr Assm

Eodm Die. In the house of Representatives

Voted—That Majr John Gillman & mr Eap Dennit be a Comittee of this house to Joyn with a Comittee of the upper house to tell over the Money that is Brot in to be burnt this assembly

James Jeffry Clr Assm

[P. 25.] Eodm Die. a Messa from the Board that Sha Walton & Jotham Odiorne Esqrs be appointed a Comittee of the upper house for telling over the Money

Then the house adjourned to Thursday ye 30th, 1725

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Thursday the thirtieth of Xr 1725

The house met according to adjournment all Psent as yesterday and adjourned to fryday Xr the 31 : 1725

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Fryday Xr the 31st 1725 The house met according to adjournment all Psent as yesterday

Eodm Die. In the house of Representatives,

Voted—That there be Impressed forthwith two thousand pounds Bills of Credit on this Province, and Signed by a Comittee to be appointed by both houses, and by them paid into the Treasury from time to time, by order of the Generall Assembly, for Defraying the Charges of ye Government occasioned by the Warr, and to repay the same that it be raised by a Tax on the Inhabitants of this Province one half in the yeare 1735, and the other half in the yeare 1736, and when Brot into the Treasury, to be Burnt to ashes in Psence of the Generall assembly, the said Bills to be repaid in Such Species as Shall be agreed upon by the Genll assm from time to time and that an act be Drawn up accordingly, and that John Plaisted Esqr, and mr Theo Atkinson be a Comittee of this house to Joyn with a Comittee of ye upper house to Signe Said Bills, and that the Said John Plaisted and mr Theo Atkinson be a Comittee of this house to Joyn wth a Comittee of the upper house to Draw up a Bill accordingly

James Jeffry Clr assm

Eod$^{m}$ Die. a vote past for payment of James Jeffrys Sallary from y$^{e}$ 19$^{th}$ of November 1724 to the 19$^{th}$ of 9$^{r}$ 1725 for the Sum of ten pounds and for being on Comittes & other Extre Service the Sum of five pounds

James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die. a Mess$^{a}$ pr m$^{r}$ Cl$^{r}$ Waldron the above vote was concurr'd

[p. 26.] X$^{r}$ y$^{e}$ 31 1725

The Psons that were Chosen a Comittee to tell over the old broken Defaced Bills of Credit that were Brot in from the Trustees for Exchanging the 5384 lb Made their Return that there was Brot and Burnt in Psence of the Gen$^{ll}$ Assembly of that money the Sume of one hundred Twenty Seven pounds fifteen Shillings viz

| | | | |
|---|---|---|---|
| from Richard Wibird | Esq$^{rs}$ | £80 12 3 | |
| George Jaffrey | | £57 14 9 | |
| John Gillman | | £ 6 3 – | |
| John Plaisted | | £53 5 – | £197 15 |

Eod$^{m}$ Die. In the house of Representatives,

Voted—That Each Pson be and are hereby Discharged of the Severall Sumes Carryed off ag$^{t}$ theire Names

James Jeffry Cl$^{r}$ ass$^{m}$

Then the house adjourned to Sathurday Jan$^{r}$ y$^{e}$ 1$^{st}$, 1725 [6].

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Sathurday Jan$^{r}$ the first 1725 The house met according to adjournment as Psent as yesterday

To the hon$^{ble}$ the Liv$^{t}$ Governor & Comander in chief in and over his Maj$^{tics}$ Province of New hampshire in New England and the hon$^{ble}$ the Councill & the Representatives of the Said Province

Tho we are loth to Expose the weakness of our Brother the reverend m$^{r}$ Hugh Adams, yet inasmuch as he has So Publickly Exposed him selfe by addressing to your hon$^{r}$ & the Generall assembly a Manuscript So full of Enthusiasm & Impertinence, In obedience to your Desire we have considered the contents of the said Manuscript and have made the following remarks—

1) Wee are Sorry to See that m$^{r}$ Adams has therein Discovered such an affectation of finding out new and Strang doctrines in Divinity.

2) That he Should So wretchedly pervert the Sacred Scriptures to Support his odd extravagant Notions.

3) That he has So little Modesty as confidently to Set up his Single oppinion in Many Instances in opposition to the Judgment of all the famous divines in the world

4) That he layes So great a Stress on his groundless opinion as to Make fundamentall articles of faith and Such an unchristian uncharitable Spirit in complaining to the almighty ag$^{t}$ Som verry worthy Psons for Crossing his unreasonable Humor

[p. 27.] on these & Severall other accounts that Might be Mentioned

wee Judge the above Said manuscript unworthy of the Least counten$^{a}$ from the Goverment

So recomending y$^{r}$ hon$^{r}$ & this hon$^{ble}$ house to the Divine Conduct in all the Important affairs that lie before you wee Subscribe our Selves your most humble & obedient Servants

Jabez Fitch
William Shurtleff

In the name and at the Desire of the Ministers of the Province.

In Councill X$^{r}$ the 29$^{th}$ 1725

Voted—That the foregoing Report of the Reverend Ministers upon the Manuscript therein Mentioned, be accepted and that the Reverend Gen$^{t}$ have the Thanks of the Goverment for the same and ordered that the Said Manuscript be Lodged in the Secretaries office, and that the Clerk of the Councill be and is hereby Directed, not to give a Coppy of the Said Manuscript or any part thereof Directly or Indirectly, to any Pson or any Psence whatsoever without Leave or Consent of the Gen$^{ll}$ assembly for the Same.

Richard Waldron Cl$^{r}$ of Con

Jan$^{r}$ the 1$^{st}$ 1725–6 In the house of Representatives
Read and concurr'd James Jeffry Cl$^{r}$ ass$^{m}$
Then the house adjourn'd to Wednesday Jan$^{r}$ 5$^{th}$ 1725

Wednesday January the 5$^{th}$ 1725
The house met according to adjournment

Psent m$^{r}$ Speaker Plaisted

John Gillman, Andrew Wiggans } Esqrs — Capt. W$^{m}$ Fellows, John Gillman, m$^{r}$ Ea Dennit, John Sandburn, John Redman

Wednesday Jan$^{r}$ the 5$^{th}$ 1725 There was Bro$^{t}$ in and Burnt in the Gen$^{ll}$ Assembly the Sume of fifty Three pounds Eight Shillings & nine pence, of the £5384 from Maj John Gillman one of the Trustees for Excha that Money and the S$^{d}$ John Gillman is hereby Discharged of the S$^{d}$ Sum of £53: 8: 9 James Jeffry Cl$^{r}$ ass$^{m}$

Report of auditing committee.

[See Journal of General Assembly, p. 199.]

[P. 29.] The house adjourned to thursday Jan$^{r}$ the 6$^{th}$ 1725

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Thursday Jan$^{r}$ the 6$^{th}$ 1725 The house met according to adjournment all psent as yesterday and Cap$^{t}$ Downing Wentworth & Eastman

In the house of Representatives.

The answer to the Gover Speech as on fyle Sent up— a vote upon Sandy Beech Petion Entred here

Eod$^{m}$ Die. In the house of Representatives

At a Rehearing of the affaire of Sandy beech Petition Voted, That the Petitioners be Let off from all Charges both of Poore & all other Town Charges relating to the Ministry and Schools of the Town whereto they belong, and that Said Petitioners pay fourteen pounds a yeare to the Island of New Castle towards the Support of the Ministry There During the Continuing of the reverend m$^{r}$ William Shurtlif in the Ministry there, and That the Island of New Castle be allowed and paid twelve pounds per annum out of the Excise towards the Sallary of m$^{r}$ William Shurtlif During his abode at New Castle in the Ministry there: and that the Petitioners are obliged to make good all former arrearages & Ingagements [p. 30.] in the Towns whereto they belong, and that the Petitioners are obliged to Maintain an able Orthodox Minister of the Gospell at their own Charges, and that the Island of New Castle be at liberty about a Gramer Schoole, and that the Petitioners be and are hereby Impowered to Make Taxes for the Maintaining theire Minister and Poore as other Towns in this Province are

m$^{r}$ John Redman &<br>
m$^{r}$ John Sandburn

Entered theire Dissent ag$^{t}$ the above vote

James Jeffry Cl$^{r}$ Ass$^{m}$

In the house of Representatives

Voted: That Mathew Clark of Londonderry be paid out of the thousand Seventy Six pounds Sixteen Shillings Tax next to be burnt for the yeare 1725 the Sum of £4: 4: 6 for Soe much of this Prov Money Burnt with his house

James Jeffry Cl$^{r}$ Ass$^{m}$

Jan$^{r}$ 6, 1725

Eod$^{m}$ Die. In the house of Representatives

Voted: That Thomas Alden be allowed and paid out of the Publick Treasury the Sum of £7: 3: 6 in full of his account for his administration to Joseph Pomfery a Souldier Died in the Service

James Jeffry Cl$^{r}$ Ass$^{m}$

Then the house adjourned to January y$^{e}$ 7$^{th}$

Fryday January the 7th 1725 all psent as yesterday Except Andrew Wiggans Esqr

Capt Sam Tibbets Came this day

Eodm Die. Voted, That Thomas Harvy be allowed and paid out of the Publick Treasury the Sum of Six pounds for the Entertainmt of Eleazer Davis in full of his account

James Jeffry Clr Assm

Eodm Die. There was Brot into the Assembly and Burnt the Sum of Nineteen pounds fourteen Shillings & Six pence of the 5384 lb By Coll Mark Hunking one of the Trustees for Exchanging that money and the Said Coll Mark Hunking is hereby Discharged of the Said Sum

James Jeffry Clr Assm

Eodm Die, voted that Jonathan Sandburn be allowed and paid out of the Publick Treasury the Sume of thirty three Shillings in full for horses Meat Corn hay &c for Capt Walkers Troopes.

James Jeffry Clr Assm

Eodm Die. Voted, That mrs Susannah Small be allowed and paid out of ye Publick Treasury the Sum of 18 lb (besides the 12lb already allowed her) for house rent fire & Candles from the 1 of 8r 1723 to the first of 8r 1725 for the Councill Assm & Courts

James Jeffry Clr Assm

[p. 31.] Janr 7th 1725

In the house of representatives

Voted, That there be the Sum of five hundred pounds Impressed (wth the two thousand voted this Sessions to be Emitted for the Exchanging any Broken Bills of this Province (Except the old red figured bills) and that three hundred pounds of it be Imediatly after printing Signed of and put into the Treasury for that End

James Jeffry Clr Assm

nonconcurr'd

Eodm Die. In the house of Representatives

Voted, That Coll Walton be allowed and paid £9: 10: the Balla of his act to the Eastward in full of all Demands for his Journy and Charges to the Eastward: and that Lang be allowed Cenl pay—

James Jaffry Clr Assm

Eodm Die: In the house &c

Voted, That there be signed off of the Two thousand

pounds now ordered to be Impress'd the Sum of £900: and put into the Treasury for the payment of the Sundry Debts now allowed and Due from the Province, and other contingencies that may happen and that his hon$^{r}$ the Liv$^{t}$ Governor be Desired to Issue out warrants for the payment of what Shall be Now allowed and unpaid

James Jeffry Cl$^{r}$ ass$^{m}$

Eod Die.

Voted That there be the Sum of £500 Impressed (with the 2 M lb voted this Sessions to be Emitted) for the Exchanging any Broken bills of Credit of this Province (of any Impression Since 1715) and that 300 lb of it be Imediately after Printed Signed off and put into the Treasury for that End

James Jeffry Cl$^{r}$ ass$^{m}$

Jan$^{r}$ y$^{e}$ 8$^{th}$ 1725 Voted: That there be paid out of the Publick Treasury for the head of Every grown Wolfe: Killed in this Province the Sum of thirty Shillings: besides what is already allowed by Law Which will make the Sum of five pounds for Every Wolfs head Killed as above

James Jeffry Cl$^{r}$ ass$^{m}$

Then the house adjourned to Sathurday Jan$^{r}$ the 8$^{th}$

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Sathurday January the Eighth 1725

The house Met according to adjournment all psent as yesterday

[P. 32.] In the house of Representatives,

Voted That Benjamin Akerman be allowed and paid out of the Publick Treasury the sum of three pounds more than formerly allowed him for this present yeare: but not to be paid untill the yeare is up: and that for the future he be allowed and paid out of y$^{e}$ Publick Treasury (after this present yeare) the Sume of ten pounds per annum for his attendance on the Governor Councill & assembly

James Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die. Voted That M$^{r}$ Eleazer Russell print all the acts That are Made already and not printed that are not Expired and that are Made Since the yeare 1721; and that he be allowed and paid out of the Publick Treasury the sum of thirty five Shillings pr Sheet and So in proportion for a Longer or Shorter Print: and that Hee Supply Each Town in the Province w$^{th}$ one gratis and that the Cl$^{r}$ of the Coun-

cill be Directed to give him Copies of the Said acts in force Now, and Made this Sessions, for that end:

James Jaffrey Clr Assm

Eodm Die In the house &c

The Excise act read three times and past to be Enacted and to Comence from this Day; with the amendment that ye five pounds be in lieu of the Quarterly Excise according to ye former votes of this house.

James Jeffry Clr Assm

Voted That the Excise of this Province be farmed to the highest Bidder that is a Suitable Qualified pson for three years from the Date hereof; and that the pson or psons that farms it give Security for the payment yearely, and that a Comittee of both houses be appointed to meet at the Court house in Portsmouth on the 19th of this Inst Janr, at ten of the Clock in the forenoon to Let out the Same and that Publick Notifications be Set up in Every Town in the Province, to Notifie accordingly and that mr Ephraim Dennit & Capt Benjamin Wentworth be a Comittee of this house for that End

James Jeffry Clr Assm

Eodm Die. a Messa from the Board by mr Clr Waldron that the above vote was concurr'd with and Geo Jaffrey & Sha Walton Esqrs were appointed from ye Board a Comittee for ye End above Said.

[p. 33.] Janr the 8th 1725

In the house of Representatives,

Whereas his honr the Livt Govornor hath had the whole Goverment as comander in Chief Still continued upon him: Voted that his honr be presented & paid out of the Publick Treasury the Sum of one hundred and twenty pounds for his Exterordinary Care and Service don in the Goverment in this time of the Warr

James Jaffry Clr Assm

Eodm Die In the house of Rep

The act for Emitting of 2 M 5 C pounds past to be Enacted five C of it for Exchanging the Broken Bill Imprest Since 1715

and the assembly was Prorogued to the 11th apr 1726

Mr Eaphraim Dennit
Capt Wm Fellows
Coll John Plaisted
} took out their Debentures to this Day

Coll James Davis
Cap Samuel Tibbets
} to the Same Time

Mr Speaker Weare to the same time

[p. 34.] Mundy Aprill 11th 1726

The house met according to prorogation

psent mr Speaker Weare

| | |
|---|---|
| John Plaisted | Capt William Fellows |
| John Gillman | John Downing |
| Theo Atkinson | John Gillman |
| | Mr John Redman |
| | Eaphra Dennit |

A message from the Livt Govornor pr mr Clark Waldron that the Board Desire the house to Come up:

The Speaker and the house went up accordingly. The house Returnd and the Livt Govornors Speech was sent Down

[See Journal of General Assembly, p. 205.]

A Petition of the South Parish of hampton or Hampton Falls: that they may be Seperated from the North Parish to make theire P'ish and Province Rates by them Selves—a vote of the Councill That the North p'ish appeare on thursday Next to Shew Cause (if any) why the prayer of the Petition may not be granted

In the house of Representatives

Voted that the first p'ish of hampton be Notified to appeare the 2d Day of the Sitting of the Genll assm.

J Jeffry C Assm

Eodm Die.

A Messa from the Board that the above amendment was concurrd with.

Eodm Die. In the house of Representatives

Voted that mr Theo Atkinson and mr Ea Dennit be a Comittee of the house to joyn with a Comittee of the upper house to tell over the Money that is to be Burnt at this Session of ye Genll assm.

Jas Jeffry Clr Assm

Eodm Die.

A Messa pr mr Clark Waldron that the above vote was concurd wth.

and That Richard Wibird & Jotham Odiorne Esqrs are appointed from the Board to joyn with the Comittee above for that end.

[p. 35.] Eodm Die. In the house of Representatives

Voted That mr Theo Atkinson & Capt Wm Fellows be a Comittee of this house to joyn with a Comittee of the up-

per house to Draw up a Congratulatory address to his Most Gracious Majtie on his happy return to his Kingdom of Great Brittaine.

James Jeffry, Clr Assm

A Message from the Board pr mr Clark Waldron that the above vote was concurrd with and that Geo Jaffry & Thos Westbrook Esqrs was appointed at the Board to joyn for the End above said.

Then the house adjourned to Tuesday aprl the 12th A. M. Nine of the Clock.

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Tuesday Aprill 12th 1726 A. M.

The house met according to adjournment all psent as yesterday and mr John Sandburn A Petition of the Selectmen of the Town of Londonderry to be Excused from paying Rates and Sending an assembly [man] for Said Town, Excusing themselves for that theire Charter gives them liberty for Settlement three yeare after the Warr ceases the Petition was read and the Charter Demanded & time given to bring it in.

Then the house adjourned for two hours P. M.

Tuesday apr 12th 1726 P. M. the house met according to adjournment all Psent as in the morning

Then the house adjourned to Wednesday ye 13th 1726 A. M.

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Wednesday aprill the 13th A. M. The house met according to adjournment all Psent as yesterday and Andrew Wiggans Esqr

In Councill aprill 12th 1726

Upon Reading ye Londonderry Petition & Considering ye Reasons therein assigned to Enforce the Prayer thereof voted that the Town of Londonderry be Excused from Sending a Representative to ye Genll assm & Exempt from the Province Tax till farther order

R Waldron Clr Councill

apr 13th in the house of Representatives,
read & Nonconcur'd

Jas Jeffry Clr Assm

[P. 36.] In the house of Representatives

Voted—That the Town of Londonderry pay Sixty pounds In a thousand to the Province Tax this yeare

Sent up for Concurrence James Jeffry Clr assm

The house adjourned for two hours P. M.

Wednesday apr 13th 1726: The house met according to adjournment A. M. all Psent as in the morning
the Londery vote Return'd and noncurr'd
The house adjourned to thursday apr 14th 1726 A. M.

---

Thursday apr 14th 1726 A. M. The house met according to adjournment all Psent as yesterday

Whereas Samuel Eastman Esqr Late the Representa for the Town of Kingston (in this assembly) is Lately Deceasd and alsoe mr Benja Wentworth Late one of the Representatives for the Town of Dover in this assembly is alsoe Lately Deceased Ordered that mr Speaker Weare Issue out his warrants to the Sherrif of this Province, to Issue his precpt to the Select men of the Towns of Dover & Kingstown to make Choice of a Representative in each Town: in the Roome of Samll Eastman Esqr and Mr Benja Wentworth Deceas'd to appeare at the assembly to Represent Said Towns at the Next Sessions

James Jeffry Clr assm

the house adjourned for two hours P. M.

Thursday apr 14th 1726 P. M.

The house met according to adjournment all Psent as in the Morning

Eodm Die. In the house of Representatives,

Voted—the consideration of the Sandy Beech Petition be referred to the next Sitting of the Genll Assm

James Jeffry Clr Assm

[P. 37.] Eodm Die. a Petition of Eliphalet & Tristam Coffin praying an Entaile of Certaine Lands In the Town of Dover Given them by theire Grandfather Peter Coffin Late of Exeter Esqr Deceased by his Deed Dated the 25 of Decr 1695 and upon reading the Said Petition & Seing the Intent of the Said Peter Coffin in another Deed Dated 24th 9r 1714 that he intended a fee Simple Therefore a vote past that for preventing of Disputes hereafter: that an act be past that the Lands in Sd Deeds Shall be an absolute fee Simple in Tristam & Eliphalet Coffin—and a Bill was Brot in read and past to be enacted.

The Sandy Beech Petition being in Dispute whether it Should pas with the amendments on the vote of the Councill, and the house consisting then of Eleven members pres-

ent, five were for passing on it with the amendment & five ag$^{t}$ it and y$^{n}$ it rested with the Speaker to Determine the vote who tooke time to consider thereon till the Next Morning & then the house adjorned to fryday y$^{e}$ 15$^{th}$ ap$^{r}$ 1726.

---

Fryday ap$^{r}$ 15$^{th}$ 1726 A. M. The house met according to adjournment all Psent as yesterday

Eod$^{m}$ Die. In the house of Representatives,

Voted—That three of the members of this house waite upon his hon$^{r}$ the Liv$^{t}$ Govornor, to assist at the Ratification of the Peace with the Indians at Casco in y$^{e}$ behalfe of this Province when the Time may be Settled

and that m$^{r}$ Speaker Weare m$^{r}$ Theo: Atkinson & Maj$^{r}$ John Gilman are the Psons chosen out of this house for that Service:

James Jeffry Cl$^{r}$ ass$^{m}$

A mess$^{a}$ pr m$^{r}$ Clark Waldron that the above vote was Concurrd w$^{th}$ and that Geo Jaffrey Coll Sh$^{a}$ Walton & Richard Wibird Esq$^{r}$ be a Comittee from the Board to Joyn the above Comittee for y$^{t}$ End—

[P. 38.] In Councill ap$^{r}$ 15$^{th}$ 1726

Voted—That George Jaffrey Esq$^{r}$ & Richard Wibird Esq$^{r}$ be of the Comittee of audit from the Board to Examin the Publick accompts to be Brought under consideration this Sessions & to Continue auditors for the yeare Ensueing

R. Waldron Cl$^{r}$ Concill

Eod$^{m}$ Die. In the house of Representatives

the above vote read and concurrd—

and voted, That andrew Wiggans Esq$^{r}$ Cap$^{t}$ William Fellows & m$^{r}$ Theo atkinson be of the Comittee of this house to Joyn with the Comittee above for that end—

James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die.

an acct of what money of the old Impression was Bro$^{t}$ in & Burnt By the Comittee appointed to Examine the Same of the 5384 lb Bro$^{t}$ in by

| | |
|---|---|
| Coll Hunking | £12 : 19 : 6 |
| Coll Weare | £82 : 1 : |
| R. Wibird Esq$^{r}$ | £39 : 5 : 3 |
| Coll Plaisted | £12 : 10 : 6 |
| | £146 : 16 : 3 |

Eod$^{m}$ Die In the house of Representatives,

Voted That each of y^e^ above psons are Discharged of the Sums as above Carryed off ag^t^ theire hands.

James Jeffry Cl^r^ ass^m^

Bro^t^ in from M^r^ Treasurer Penhallow of the Last years 1076 : 16 Tax £738 : 17 : 3

We whose Names are hereunto Subscribed have told over y^e^ above Sums of Money from the above mentioned psons & find the Sums to be as above

R. Wibird Theo Atkinson
Jotham Odiorn Eaphr^a^ Dennit

The act for taking of an Entaill on Some Lands in Dover belonging to Eliphalet Coffin & Tristam Coffin was read three times and past to be Enacted

Then the house adjourned for two hours P. M.

[P. 39.] Fryday aprill 15^th^ 1726 P. M. The house met according to adjournment all psent as in the morning

Eod^m^ Die. In the house of Representatives

Voted That the Treasurer Supply his hon^r^ the Liv^t^ Gov^r^ & Those Gen^t^ appointed to waite on him to Casco to Ratify the Peace with the Indians with the Sume of Twenty pounds to be used at theire Discretion for a present to the Indians

Jam^s^ Jeffry Cl^r^ ass^m^

Eod^m^ Die. In the house &c

Voted that the Treasurer Supply his hon^r^ the Liv^t^ Govorner & those Gen^t^ appointed to waite on him with all Such Necess^a^ as may be by them Tho^t^ convenient for theire stores.

James Jeffry Cl^r^ ass^m^

A Message from the Board pr Geo Jaffrey Esq^r^ & m^r^ Clark Waldron that his hon^r^ the Liv^t^ Govern^r^ adjourned this assembly to tuesday the 26^th^ Ins^t^

James Jeffry Cl^r^ ass^m^

---

Tuesday ap^r^ 26 : 1726

The house met according to adjournment

psent m^r^ Speaker Weare

John Plaisted, James Davis, Andrew Wiggans } Esq^rs^ Capt W^m^ Fellows, John Downing, John Gillman, M^r^. John Redman, John Sandburn, Cap^t^ Sam^ll^ Tibbets, m^r^ Eaphraim Dennit, Theo Atkinson

m^r^ Sherif Gambling made return of the precepts given for Kingston & Dover: and that Cap^t^ Paul Gerrish was Legally Chosen a Representative for the Town of Dover in the roome of Cap^t^ Benjamin Wentworth Deceas'd and that m^r^ Ebenezer Stephens was chosen at Kingston in y^e^ Roome of Samuell Eastman Esq^r^ Deceas'd

[P. 40.] Cap^t^ Paul Gerrish and m^r^ Ebenezer Stephens were presen^d^ the Board to be quallified as Me'bers of the lower house Which was accordingly Don and they return'd and took their places.

Cap^t^ Paul Gerrish
m^r^ Ebenezer Stephens

Then the house adjourned to Wednesday the 27 A. M.

---

Wednesday aprill 27^th^ A. M. 1726

The house met according to adjournment all psent as yesterday—

Eod^m^ Die In the house of Representatives,

Voted, That Coll John Plaisted & Cap^t^ W^m^ Fellows be a Comittee of this house to answer the Liv^t^ Gov^r^ Speech

James Jeffry Clr

Eod^m^ Die. The above Comittee made return of the answer which was accepted

Then the house adjourned for Two hours P. M.

Wednesday ap^r^ 27^th^ 1726 P. M. the house met according to adjournment all psent as in the morning—

Eod^m^ Die In the house of Representatives,

Voted: That leave be given to Bring in a Bill for the Chusing an assembly once in three years—It past in the affirmative

James Jeffry Cl^r^ ass^m^

Eod^m^ Die.

In the house of Representatives

a vote past for Sandy beech Petitions to be a p'ish by the name of Rye &c & Sent up—

James Jeffry Cl^r^ ass^m^

Then the house adjourned to Thursday y^e^ 28^th^ ap^r^ A. M.

---

Thursday aprill 28^th^, 1726 A. M.

the house met according to adjournment all psent as yesterday

[P. 41.] A Message from the Board pr John Frost Esq$^{r}$, with a Coppy of a letter Liv$^{t}$ Gov$^{r}$ Dumer Sent the Eastern Indians appointing the Ratification of the Treaty with them to be on the 20th of June next at Falmouth: Tho the Indians Desire it might be at Pemaquid

Eod$^{m}$ Die. In the house of Representatives

Voted: That Samuell French be allowed and paid out of the Publick Treasury Eight pounds Sixteen Shillings in full of all Demands on his accompt for Doctor Halls curing him of a Shot wound, & Diet & Lodging the Said Sum being in full for all Demands

James Jeffry Cl$^{r}$ Assembly

a Mess$^{a}$ pr m$^{r}$ Waldron

that the above vote was concurr'd with

Eod$^{m}$ Die In the house of Representatives

Whereas there was a vote of the Gen$^{ll}$ assembly May the 28, 1720 That the Treasurer Should pay twelve pounds pr annum out of the Town of Gospert Province Rate to the Town of New Castle:

Voted: That the Said twelve pounds for the future be paid into the Publick Treasury for the use of the Province.

Ja$^{s}$ Jaffry Cl$^{r}$ ass$^{m}$

Sent up & Concurr'd:

Eod$^{m}$ Die. In the house of Representatives,

The vote: for Sandy Beach Petitioners: after Severall amendm$^{ts}$ was voted and Sent up and Now to be Named the P'ish of Rye;

aprill 25$^{th}$ 1726; an accompt of the men y$^{t}$ was Mist & not Entred in Capt John Gillmans Muster Roll in y$^{e}$ yeare 1725

| | | |
|---|---|---|
| Samuell Elkins: | 10 days | £– : 14 : 4 |
| John Rowlins | 7 | £– : 10 : |
| Moses Norris | 5 | £– : 7 : 2 |
| John$^{a}$ Glidden | 16 | £1 : 2 : 10 |
| John Mugget | 15 | £1 : 1 : 5 |
| Joshua Norton | 28 | £2 : — : |
| Elnathan Damn | 25 | £1 : 10 : |
| | | £7 : 05 : 9 |

In the house of Representatives

Voted y$^{t}$ y$^{e}$ Severall psons above named be allowed and paid out of y$^{e}$ Publick Treasury y$^{e}$ wages Sett off

Sent up & concurrd James Jeffry Cl$^{r}$ ass$^{m}$

[P. 42.] The house adjourn'd for Two hours P. M.

Thursday aprill 28th 1726 P. M. the house met according to adjournment all psent as in the morning Except mr Theo atkinson

Eodm Die. In the house of Representatives

Voted, That the records of Deeds for the Province of New hampshire be constantly Kept at Som convenient house in the Bank in Portsmouth, and alsoe voted That Coll Mark Hunking Esqr be the recorder of Deeds for the Province of New hampshire for three years from the Tenth day of May next

James Jeffry Clr assm

Sent up and Concurrd with.

Eodm Die. In the house of Representatives,

Voted, That the Recorder of Deeds & conveyances for this Province Shall take Recording Each Deed & Mortgage or conveyance, after the rate of one Shilling pr page for Each page of Eight and Twenty lines in each page & Eight words in a line & Sixpence for his attestation & no More on the Penaltie by Law Provided:

James Jeffry Clr assm

Sent up & concurr'd.

Then the house adjourned to Fryday aprill 29, 1726.

---

Fryday aprill 29 1726 A. M.

The house met according to adjournment all psent as yesterday morning.

Eodm Die. In the house of Representatives

Ordered, That mr Treasurer Penhallow Bring in the 1076lb 16s Province Tax for the yeare 1725 to be Burnt and alsoe bring his accompt to the auditors appointed to Examine them yt they may be Past upon. Sent to the Treasurer by one of the members.

James Jeffry Cler Assm

Then the house adjourned for two hours P. M.

Fryday apr 29: 1726 P. M.

The house met according to adjournment all psent as in the morning

[P. 43.] In Councill aprill the 29th 1726

Voted: That mr Richard Waldron Clerk of the Councill and mr James Jeffrey Clark of the assembly be a Comittee to Examin all ye files and books of Laws of this Province that are not printed & Revise them that are already printed & make report to the Genll assembly, at theire Sessions in

the fall of Such as may be proper to be printed & Repealed That there may be a more Compleat Body of Laws compiled & Impressed, for which they Shall receive out of the Treasury the Sum that they may be agreed with for

Rich$^{d}$ Waldron Cl$^{r}$ Con

Eod$^{m}$ Die read in the house

Then the house adjourned to Sathurday aprill 30$^{th}$ 1726 A. M.

---

Sathurday Aprill 30 : 1726 A. M.

The house met according to adjournment all psent as yesterday

Eod$^{m}$ Die. In the house of Representatives,

The voate of the Councill of the 29$^{th}$ Ins$^{t}$ for Reviseing the Laws was Read and Concurd with; with this amendment. That those Laws that Shall be Bro$^{t}$ into this assembly by the Said Comittee & approved of By the Gen$^{ll}$ assembly, & ordered by them to be Printed, as alsoe the Laws that Shall hereafter be made & ordered to be printed by the Gen$^{ll}$ assembly of this Province, shall be the only laws Pleadable and in force within any Court in this Prov, and no other (Excepting where the Statute or Comon Law of England ought to take place

James Jeffry Cl$^{r}$ asm

In Councill Eod$^{m}$ Die

Read & Concurrd Richard Waldron Cl$^{r}$ Con

Eod$^{m}$ Die In the house of Representatives

Whereas the Boundaries of this Province have been long depending & yet not Setled, which is very much to the Damage of this his Maj$^{ties}$ Goverment Especially in as much as the Goverment of the Massach$^{ts}$ have lately Disposed of & Laid out considerable Quantities of land which is Supposed to be farr within the bounds of this Province and are about granting more of the Said Land which is a very Great Griveance &c

[P. 44.] Voted, That there be Instructions Drawn up Setting forth y$^{e}$ Said Grievance praying that his Maj$^{tie}$ may be adressed to Signifie where the Lines of this Province Shall be: for length and Breadth in more certainety than Ever was yet Don & that the address be forwarded to m$^{r}$ agent Newman to be presented to y$^{e}$ King: & That m$^{r}$ agent Newman have one hundred pounds this Money Sent him for the

Same and other his good Services—and that Capt William Fellows & mr Theo atkinson be a Comittee of this house to Joyne with a Comittee of the upper house to Draw up the address and Instructions for mr agent Newman concerning it. James Jeffry Clr assm

Eodm Die In the house of Representatives:

Ordered That the Grand Comittee for the 15 M pounds Imediately Set up Notifications on the Publick meeting houses throughout the Province requireing those Psons that has taken any of that money: before the Next fall Sessions, to Comply wth the act relating to that Money: or otherwise the Law to be put in Execution agt them: and that a Coppy of this voate be Set up with theire Notifications

James Jeffry Clr assm

Sent up and Concurrd

Eodm Die. In the house of Representatives

Ordered—That the Plates for Impressing the paper Bills of this Province be Brot in & Delivered Coll Plaisted (from whome they were taken) for the use of the Province & for the Safe Keeping thereof

James Jeffry Clr assm

Sent up & Concurrd:

March ye 26, 1726: mr Treasurer Penhallow Dr to £900 to be recd from the Comittee for Signing the new money of the Last Impression as pr his rec. aprill 4th 1725:

Do Dr to 300 lb of the Same Impression for Exchanging the Broken money as pr rec apr 4: 1726:

Eodm Die. Voted—That there be a Precept Sent to the Town of New Castle to Chuse a meet Pson to represent the Pish of Rye in the fall Sessions

James Jeffry Clr assm

[p. 45.] apr 30th: 1726 a. m.

Whereas his honr the Livt Governor hath had the whole Goverm t as Comander in Chief Still continued upon him

Voted—That his honr be presented and paid out of the Publick Treasury the Sum of one hundred pounds for his exterordinary Care & Service Don

Sent up James Jeffry Clr assm

Allowances Made apr 30th 1726 by the Comitte of audit

| | | | |
|---|---|---|---|
| John Wentworth Junr | £6 14 | Mark Hunking | Comittee |
| John Peacock | £6 9 4 | Geo Jaffrey | |
| Benja Rust | £9 17 8 | | |
| Johna Sandburn | £1 10 | | |
| Idem | £2 17 | Wm Fellows | |
| Idem | £1 16 | Theo Atkinson | |
| Idem | £3 6 | | |
| to mr Eaphraim Dennit & Geo Jaffry | £1 | | |

Eodm Die. In the house of Representatives

The Report of the Comittee of audit That there is Due to the Province on the Ballance of mr Treasurer Penhallows accompts £261 : 9 : 1

Mark Hunking | Richard Wibird | Wm Fellows | Theo : Atkinson.

and likewise 6 hhds bread & 2 bb of Pork amo to £61.

Then the house was adjourned by his honr the Livt Governor to Wednesday May 18th 1726.

---

Wednesday May 18th 1726 :

The house met according to adjournment

Psent Mr. Speaker Weare.

| | | |
|---|---|---|
| John Gillman | Esqrs | Wm Fellows |
| Andrew Wiggans | | John Gillman |
| James Davis | | John Sandburn |
| John Plaisted | | John Redman |
| | | Mr Eaph Dennit |
| | | Eben Stephens |
| | | Capt John Downing |
| | | Sam Tibbets |
| | | Paul Gerrish |
| | | Theo Atkinson |

The house adjourned to Thursday May the – – – 19, 1726 A. M. – – –

[P. 46.] Thursday May 19th 1726 A. M.

The house Met according to adjournment all Psent as yesterday

Eodm Die.

| | |
|---|---|
| allowances Made to Edward Hall & Seven men Six Dayes | £6 2 6 |
| John Wentworth Junr | £6 14 |
| John Peacock | £9 9 4 |
| Benja Rust | £9 17 8 |
| A Muster Role Signed Johna Sandburn 10 men 3 days | £1 10 |
| Idem 19 men 3 dayes | £2 17 |

| | |
|---|---|
| Idem 12 men 3 dayes | £1 16 |
| Idem 22 men 3 dayes | £3 6 |
| to Geo Jaffrey & Mr Ea Dennit for letting ye Excise | £1 |
| | 42 12 6 |

Sent up and Concurred

Then the house adjourned for two hours P. M.

Thursday May 19th 1726 P. M. the house met according to adjournment all Psent as in the morning three Bonds of mr Clemt Hugheses for the Excise was Comitted to the Clark of the assembly for the Safe Keeping them

Eodm Die. In the house of Representatives

Voted—That Coll Walton Majr John Gillman John Frost Esqr and mr Theo Atkinson, be allowed & paid out of the Publick Treasury, for theire attenda on the Govr at the Indian Treaty at Boston the Sum of five pounds Each—Concurr'd

James Jeffry Clr assm

The house adjourn'd to Fryday May 20th 1726

---

Fryday May the 20th 1726 A. M.

the house met according to adjournment all Psent as yesterday Except Capt Tibbets

Eodm Die. In the house of Representatives

Voted—That mr Speaker Weare put the Bonds: for the 1730 lb of the Province Money now at interest in Severall Psons hands in Suit agt them unless they pay ye Interest thereof before the first Day of october next & yt ye Treasurer Supply with money for carrying on any Suit yt may be comenced agt any Pson for the Same

Jas Jeffry Clr assm

vote returned

[P. 47.] Then the house adjourned for two hours P. M.

Fryday May the 20th 1726 P. M.

the house met according to adjournment all Psent as in the morning

Eodm a vote for payment of Seven pounds twelve & 11d Expence of the Comittee to Londonderry to be paid mr Theo Atkinson—concurr'd

Eodm Die—an allowance to the Comittee theire men & horses amo to 21, 5, to be pd mr atkinson Concurrd

Eodm Die. In the house of Representatives

Voted—That there be an act Drawn up for the holding an Inferiour Court of Comon Pleas, and Court of Gen$^{ll}$ Quarter Sessions of the Peace at Hampton in the Month of March annually and the like at Exeter in the Month of June and the like at Dover in the month of Sept – – – and that there be a Court house and Prison for the use of the Town & Province Built in Each of the afore Said Towns at y$^{e}$ most convenient place to be agreed upon by a comittee appointed by the Gen$^{ll}$ assembly for that end, and that each Town purchase the land for Said houses & Prisons & Conveniences for the Same

and that there be two thousand pounds forth with Impresd for the Building the Said Court houses & Prisons and a State house at Portsmouth: four hundred pounds to Each of the first three Towns and eight hundred pounds for the Town of Portsmouth: all to be put into the treasury: and Drawn out by order of the Comittee to be appointed to agree for the Building Said State house, Court houses and Prisons & Inspecting y$^{e}$ Building: and y$^{t}$ y$^{e}$ Diemontions of the Said houses Each of them to be agreed upon, & then let out to Skillfull & Proper workmen that will do the work Cheapest and that no Comittee exceed foure Psons

James Jeffry Cl$^{r}$ ass$^{m}$

Sent up: y$^{e}$ above Bro$^{t}$ w$^{th}$ a mess$^{a}$ y$^{t}$ y$^{e}$ 400 lb was to much but y$^{t}$ 300lb in Each of 3 Towns would be En$^{o}$

May 21 Sent up by three messengers & prayed y$^{t}$ y$^{e}$ above vote might ly till next Sess$^{e}$ w$^{ch}$ was granted

Then the house adjourned to Sathurday May the 21: 1726.

---

Sathurday May the 21$^{th}$ 1726: A. M.

The house met according to adjournment all Psent as yesterday & Cap$^{t}$ Tibbets

[P. 48.] In the house of Representatives

Voted—That there be Signed off of the two Thousand pounds last printed the Sume of Eight hundred pounds and put into the Treasury for the payment of the Sundry Debts Now allowed and remaining Due from the Province & other contingencies that may happen and that his hon$^{r}$ the Liv$^{t}$ Govornor be Desired to Issue out Warrants for the payment of what is yet unpaid

Sent up & Concurrd James Jeffry Cl$^{r}$ ass$^{m}$

May 21, 1726 In the house of Representatives

Voted, That the Comittees Instructions to m^r agent Newman be accepted with these amendments, viz That the words begining in the thirteenth line to the End of the Sixteenth line which are in these words (as theire felling & Destroying great Numbers of the pine Trees fitt for Masting his Maj^ties Royal Navy much within our Supposed North^ely bounds &c) be expunged out of S^d Instructions and in the Roome thereof These words be Inserted their Rateing & Destraining upon Sundry psons living four or five miles to y^e North of Merrymack River that live as wee Suppose mutch within the Bounds of this Province according to the Bounds mentioned in our Governors Royall Comiss^ns by his Maj^tie to him Granted

Sent up & concurred Ja^s Jeffry Cl^r ass^m

Eod^m Die In the house of Rep^r

Whereas his hon^r the Liv^t Governor hath had the whole goverment as comander in chief Still continued upon him and been at Exterordinary Charges, voted, That there be paid out of the Publick Treasury, as an additional present to what was Last Given him, the Sume of twenty five pounds.

James Jeffry Cl^r ass^m

a vote for his hon^r to agree with five psons to Survey the lands at the head of Barrington & the Pond: to know how to Lay out y^e New Towns & that he Direct them and the Charges paid by the Petition^rs

Sent up & Concurr'd Ja^s Jeffry

Voted, that there be paid out of the Publick Treasury the Sume of Seventy Seven pounds ten Shillings to m^r Clark Waldron for the Last years Service and w^t he was Short paid before, and that m^r Sherrif Gambling be p^d fifteen pounds for his Service in full being in war time

Sent up

[P. 49.] In the house &c

Voted, That the £1730 lb that is now in Severall psons hands for which they have given their Bonds, be paid into the Treasury in Bills of Credit, on this Province, or if they Shall Desire to Keep the Severall Sums of money they now Stand indebted for That then they or any of them Shall Give such further Security as Shall be approved of by the Gen^ll assembly & that the Interest now Due on the Said Bonds be rec^d by the Treasurer at 2 & ½ pr ct pr annum & that the Tenor of the Said Bonds be at 2 & ½ pr ct pr annum for the future—

James Jeffry Cl^r ass^m

The house was adjourned to y^e^ 9^th^ of 9^r^ Next
Debentures taken out to this Day
Cap^t^ John Gillman
Maj^r^ John Gillman
m^r^ John Redman
John Sandburn
Cap^t^ Benj^a^ Wentworth
Andrew Wiggans Esq^r^

---

[p. 50.] Munday 9^r^–21^st^ 1726: The house met according to prorogation by Proclamation

psent

| | | |
|---|---|---|
| m^r^ Speaker Weare | Esqrs | Samuel Tibbets |
| John Plaisted | | William Fellows |
| James Davis | | m^r^ John Redman |
| John Gillman | | John Sandburn |
| Andrew Wiggans | | Ephraim Dennit |
| Cap^t^ John Downing | | Theodore Atkinson |
| John Gillman | | Ebenezer Stephens |
| Paul Gerrish | | Richard Jennes |

M^r^ Speaker Sent a Message to the Bowrd to Signifie that there was a house

A message pr m^r^ Cl^r^ Waldron that it was his hon^rs^ pleashure that m^r^ Speaker and the house attend at the Councill Bowrd: m^r^ Speaker & the house went up according

His hon^r^ made a Speech to the house: of which the Speaker Desired a Coppy: and then the house Return: and ye Speech was Sent Down: and read in the house(1)

Eod^m^ Die. m^r^ Sherif Gambling made Return of his precept to New Castle for the Choice of a Representative for the P'ish of Ry: there being Som Defect in his Return it was Sent to him to amend it

The the house adjourned to Tuesday the 22^d^ A. M.

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[p. 51.] Tueday 9^r^ 22: 1726 A. M.

The house met according to adjournment all psent as Entred.

Eod^m^ Die The house proceeded to admit m^r^ Richard Jennes an assembly man for Ry according to the Return

There being a Motion Made that his Election was not Consonant to the act Relating to the Town of New Castle &

(1) This Speech is not found on record or on file.—Ed.

pish of Rye: the act was sent for to be Brot in in the afternoon: and that the pties appeare and Make out their allegations: whether he was legally Chosen or Noe

Eodm Die In the house of Representatives

Voted, That Andrew Wiggans Esqr Capt William Fellows & mr Theodore Atkinson be a Comittee of this house to answer the Lt Gover Speech

James Jeffry Clr assm

Eodm Die

Mr Clark Waldron brot Down a letter from mr Agent Newman: which was Read in the house

a Messa was Sent to his honr ye Lt Govr to pray a Coppy of Mr Newmans Memorial &c which was Sent & read: & Then the house adjourned for two hours P. M.

Tuesday 9r—22d 1726 P. M.

The house met according to adjournment all psent as in ye morn

Eodm Die a Messa from the Board pr mr Cler Waldron that his honr and the Bourd was Ready to heare the hampton falls Petition & Desier'd the house to Com up,

accordingly the house went up: and the Delegates on both Sides were heard

Eodm Die In the house of Representatives

The Matter of the Election of Mr Richard Jennes Came on: the precept & Return Read: & Coll Walton & John Frost Esqrs Complained that the Election was not Legall as they Thot, and a paper was product and was read, but it not being Signed by any body the house [P. 52] rejected it and it being put to the vote in the house whether Legally Chos'n or not It past in the affirmative

and being voted Legally Chosen he was Brot into the house & presented & accepted:

Eodm Die. Mr Theo Atkinson Complained to ye house yt he was answered verry affrontingly while he was Debateing in the house by Some one under the windows (which he Supposed was mr Justice Odihorn: the house Sent for mr Justice Odiorn: who came into the house & Decla that what he Spoak was not Designedly don to affront any Member of this honble house: & that was the finall end of that matter.

Then the house adjourned to Wednesday 9r ye 23d 1726 A. M.

Wednesday 9r the 23d 1726 A. M.

the house met according to adjournment all psent as Entred

Eodm Die. a Messa from the house to the Board yt there was a Member for the p'ish of Rye to be Qualified and Mr Clr Waldron Richard Wibird & archi Mac'p Esqrs was Sent Down to admr the Proper Oaths to ye Said Member: which being Don the Said Richard Jennes was admitted to his place as a Member of the Genll assm.

Eodm Die In the house of Representatives

The Hampton Petition being Read: & put to vote whether the prayer thereof Should be Granted;

It past Nem Contr That yt part of the Petition relating to the p'shes being Seperate for the payment of ye Ministers Should be granted

& ye vote Entred ye Last this Sessions & yn it was Sent up

Then the house adjournd for 2 hours P. M.

[P. 53.] Wednesday 9r 23d 1726 P. M.

The house met according to adjournment all psent as in the morning

Eodm Die In the house of Representatives

Voted: That mr Ephraim Dennit mr Theo Atkinson & Capt Wm Fellows be of the Comittee of this house to Joyn with a Comittee of the upper house to tell over the money Brot in to be Burnt this Sitting and to make Return to the assm James Jeffry Clr Assm

A Messa from the Board pr mr Clr Waldron that ye above vote was concurr'd with and that R Wibird J Odiorn & Ar Mac'p Esqrs was Chosen by the Board to Joyn with the above Comittee for that End

Then the house adjourn'd to thursday the 24th Inst A. M.

---

Thursday 9r 24th 1726 A. M.

The house met according to adjournment all psent as Entred for the day

A Memoriall of Mr John Hobby Son and heir at Law to Sr Charles Hobby: Relating to a Right bot by the Said Sr Charles of mr Thomas Allen was read; and the Clr Sent to the Said Hobby for the Deed that allen Gave: which was alsoe Brot into the house: and then the house Sent two

messengers to Desier a Conference with the Board in the afternoone

Then the house adjourned for 2 hours P. M.

Thursday 9r 24 P. M.; the house met according to adjournment all psent as in the morning Except mr atkinson & mr Fellows

Eodm Die A Message from the Board pr G Jaffrey & R Wibird Esqrs with an answer to the Desier of the house in the morning for a Conference on mr Hobbys Meml. It was his Pleasr that the house attend at the Board on that affaire: Then mr Speaker and the house went up accordingly & had a Conference & returned: and then the house adjourned to fryday 9r 25th A. M.

---

[P. 54.] Friday 9r 25th 1726 A. M.

The house met according to adjournment all psent as Entred for the day

Eodm Die an acct of what money of the old Impression was Brot in and Burnt by the auditors appointed to tell over & Examine the Same of the 5384 lb by

| | |
|---|---|
| Richard Wibird Esqr | £77: 3: 6 |
| Coll Plaisted | £51: 15: 1½ |
| Coll Weare | £55: 4: 9 |
| | 184: 03: 4½ |

Eodm Die. In the house of Representatives

Voted, That each of the above psons are Discharged of the Severall Sums above Carryed off agt their Names

James Jeffry Clr assm

Then the house adjourned for two hours P. M.

Fryday 9r 25th P. M. The house met according to adjournmt all psent as in the morning

Then the auditors for accompts went out on that affaire and the house adjourned to Sathurday the 26th Inst A. M.

---

Sathurday 9r 26, 1726 A. M. The house met according to adjournment all psent as Entred

Eodm Die. There was Brot into the assembly of the old money Exchanged of the 5384—

| | |
|---|---|
| by George Jaffrey Esqr | £62: 6: 6 |
| Coll Hunking | £20: 3: 6 |
| | 82: 10: |

Eod^m Die In the house of Representatives

Voted That Each of the above psons are Discharged of the Severall Sums carryed off ag^t their Names

James Jeffry Cl^r ass^m

Sent up

Then the house adjourned to Tuesday 9^r 29^th am

---

[p. 55.] Tuesday 9^r 29^th 1726: am

The house met according to adjourm^t psent as Entred

| | | |
|---|---|---|
| m^r Speaker Weare | | Paul Gerrish |
| John Plaisted | Esq^rs | Samuel Tibbets |
| James Davis | | m^r John Redman |
| John Gillman | | John Sandburn |
| Andrew Wiggans | | Ephraim Dennit |
| Cap^t John Downing | | Theo Atkinson |
| W^m Fellows | | Ebenez^r Stephens |
| John Gillman | | Richard Jennes |

Eod^m Die

The vote of the Councill of the 25^th Inst Relating to m^r John Hobbys Memoriall was Read and Noncurr'd

Then the house adjourned to Wednesday y^e 30^th A. M.

---

Wednesday 9^r 30^th 1726 A. M.

The house met according to adjournment all Psent as Entred for the day

The answer to Hobbys memoriall Entred Last of all this Sessions.

In the house of Representatives

Voted—that Benj^a Akerman be allowed and paid out of y^e Publick Treasury 25*s* in full Satisfaction for his horse when he went to Penny Cook

Then the house adjourned to Thursday X^r 1^st A. M.

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[p. 56.] Thursday the first of December A. M. 1726 allowances Made this Sessions

[See Journal of General Assembly, p. 230.]

[p. 57.] Thursday y^e 1^st 1726 A. M.

The house met according to adjournment all Psent as Entered for the Day: and voted that James Jeffry be allowed &

p^d out of the Treasury the Sum of fifteen pounds for his Service as Clerk of y^e ass^m from 19 of 9^r 1725 to y^e 19 of 9^r 1726 and for Draug^t of y^e Province to Send m^r agent Newman

J Jeffry Cl^r ass^m

a vote past for Double Jurys in Both Courts alsoe y^t there be p^d out of y^e Publick Treasury the Sum of Eleaven pounds to Capt George Walker for his Troop of fifty five men for four dayes pr order it being allowed y^e 5th of January Last past but the Role was Som how Mis laid:

Ja^s Jeffry C ass^m

Eod^m Die. allowed Andrew Wiggans Esq^r 20*s* for Expences on his Souldiers in Sudden Schouts

Eod^m Die. In the house of Representatives

Whereas a Vote of the Great and Gen^ll ass^m of his Maj^ties Province of the Massachusets bearing Date May 25: 1726: to appoint Comiss^rs to meet with Comiss^rs from this Province to adjust the line in Dispute between the Provinces, hath been Laid before us and a Debate thereon:

In answer wee Say that This Province haveing Severall times met with thir Comiss^rs in order thirto: yett not Settlement Could be agreed upon, & for that the Psent vote of the Massachusets only offers a Settlem^t of the line next to merymack River: having No regard to the Northern bounds Between this Province and the Province of Maine: and wee having by our agent laid before his Maj^tie in Council the Dispute about both lines & his Maj^tie haveing referr'd it to a Comittee of Lords to Consider thereof and make report of their opinion to his Maj^tie in Councill in order to a finall Settlement of Both the lines—

Voted that for the above Said Consideration: Wee think it not proper to Chuse any Comiss^rs the whole Matter being Submitted to his Most Gra^s Maj^tie

Eod^m Die. Allowed m^r Eleazer Russell £7:14:

a Mess^a from the Board pr G Jaffrey Esq^r that Wiggans & Russells allowances were Concurr'd with—

a vote made for Larger allowances to y^e Gov^r Councill and assembly past & Sent up But nothing Don upon it

M^r Jaffrey came Down with the accompt of Expences of Powder at fort William & Mary: By which it appeared there was but about Six bb of powder in Store

Then the house adjourned to Fryday x^r 2^d am

[p. 58.] Fryday x^r the 2^d 1726 am

The house met according to adjournment all psent as Entered for the Day

a vote past for an act for powder money: but twas bro^t Down from the Board by Some of the Councill and prayed that the house would pass a vote for buying powder for the present

Then the house adjourned to Sathurday x^r 3^d am

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Sathurday x^r y^e 3^d 1726: am The house met according to adjournment all psent as Entred

Eod^m Die In the house of Representatives

Voted: That all the remaining bills of C^r of the two thousand pounds Last printed be Signed off & put into the Treasury which amounts to two hundred twenty Eight pounds and nine pence: And alsoe that there be Signed off & put into the Treasury the Sume of foure hundred forty Two pounds Nine Shillings & Nine pence two hundred pounds of the Said Sum being part of the five hundred pounds last printed for Exchanging Money: the remainder being overplus bills left of what was lately printed: the whole Sum to be signed off being Six hundred Seventy pounds ten Shillings and Sixpence: to be put into the pub^k Treasury for the payment of Sundry Debts now allowed & remaining Due from the Province: and that his hon^r the Liv^t Governor be Desired to Issue out warrants for Such payments: and for a fund for paying the Sume of foure hundred forty two pounds Nine Shillings & Nine pence above said Voted that it be raised by a Tax on the Inhabitants of this Province to be paid in in the yeare 1737 & whenBro^t into the Treasury to be Burnt to ashes in psence of the Gen^ll assembly the Same to [p. 59.] be paid in Such Species as the Gen^ll Assembly Shall agree upon and that an act be Drawn up accordingly: and that Cap^t W^m Fellows & m^r Theo Atkinson be of the Comittee of this house to Joyn with a Comittee of the upper house to Draw up a Bill accordingly—part of the above was Sent up & concurr'd with and then the house adjourned to Wednesday x^r 7^th

Wednesday x^r the 7^th: 1726—

The house met according to adjournment

psent m^r Speaker Weare

| | | |
|---|---|---|
| John Plaisted | Esq^rs | Sam^ll Tibbets |
| James Davis | | m^r John Redman |
| John Gillman | | John Sandburn |
| Andrew Wiggans | | Ep^h Dennit |
| Cap^t John Downing | | Theo Atkinson |
| W^m Fellows | | Eben Stephens |
| Paul Gerrish | | Richard Jennes |
| John Gillman | | |

The house adjourned to Thursday the 8^th am

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[p. 60.] Thursday X^r 8^th 1726 A. M.

The house met according to adjournment all psent as Entered for the day.

Eod^m Die. In the house of Representatives

Voted—That m^r Ephraim Dennit m^r Theo atkinson & m^r James Jeffry be a Comittee of this house to joyn with a Comittee of the upper house to Examine the Late Treasurers accompts, and to receive the Stores & Deliver them to the New Treasurer when Quallified and make return of their Doings to the Gen^ll ass^m.

Sent up.

James Jeffry Cl^r Ass^m

a Mess^a from the Board pr m^r Cl^r Waldron that y^e above vote was concurr'd & that Richard Wibird archi^l Macphedris & J Odiorn Esq^rs were app^d a Comittee to joyn with the above for that end.

Then the house adjourned for two hours P. M.

Thursday X^r 8^th P. M: the house met according to adjournment all psent as in the morning.

Eod^m Die. In the house of Representatives,

Voted, That no Law be pleadable in any Court of this Province Except Such as are in Print & Is under the Seal of the Province: only where the Statute Laws: or Comon Law ought to take place.

James Jeffry Cl^r Ass^m

Then the house adjourned to fryday X^r the 9^th A. M.

Fryday X$^{r}$ the 9$^{th}$ 1726 A. M. the house met according to adjournment all psent as entered for the Day.

a vote passed in the house for holding Some of the Courts at Hampton Exeter & Dover But Nothing Don upon it.

A Mess$^{a}$ was Sent up pr m$^{r}$ Atkinson & Stephens to Know what was Don on the above vote for the Laws who return'd for answer it Lay under consideration.

[P. 61.] In the house of Representatives

Voted—That there be a Bill or Bills of Exchange to y$^{e}$ vallue of fifty pounds Sterling purchased and Sent m$^{r}$ agent Newman: for Carrying on the affairs of y$^{e}$ Lines Between this Province and the Province of y$^{e}$ Massachusets Government and that the Sum of one hundred and fifty pounds be paid out of the Publick Treasury for purchasing Said Bill of Exch$^{a}$ or what more it will purchase.

Sent up. James Jeffry Cl$^{r}$ ass$^{m}$

a Mess$^{a}$ pr m$^{r}$ Cl$^{r}$ Waldron that the above vote was concurr'd.

Eod$^{m}$ Die. M$^{r}$ John Knight Diet for thirty Nine Men four days Scout.

and Samuell Sherburne Blacksmith allowed Nine Shillings and Nine pence for Iron work for y$^{e}$ Prison and Samuell Shackford allowed thirty three Shillings in full of his acc$^{t}$ for work Don for the Prison.

Then the house adjourned for two hours P. M.

Fryday X$^{r}$ 9$^{th}$ P. M. the house met according to adjournment all psent as in the morning.

Eod$^{m}$ Die. In the house of Representatives

allowed Benj$^{a}$ Rust Sixteen pounds for house rent fire and Candles for the Last yeare from the first of october 1725 to the 1$^{st}$ of 8$^{r}$ 1726 twenty Shilling being included for the great price of fire wood

a vote past for the Towns to Choose Jurymen past & Sent up: and return Non concurrd Nem Con$^{t}$.

Then the house adjourned to Sathurday X$^{r}$ 10$^{th}$ 1726 A. M.

---

[P. 62.] Sathurday X$^{r}$ 10$^{th}$ 1726, A. M.

The house met according to adjournment all psent as entered for the day.

Eod$^{m}$ Die. allowed Samuel Weeks twenty foure Shillings in full of his acc$^{t}$ for Timber for the Prison.

Eod$^{m}$ Die. In the house of Representatives

Voted—That the Comittee appointed to Examine the Late

Treasurers accompts That what Money or Stores are found to be in the Late Treasurers hands upon accompting with the above Comittee they Shall receive and Deliver to the New Treasurer George Jaffrey Esq$^{r}$ & he to receive the same & give his receipt: and what money is to be Burnt Shall be Burnt by the said Comittee & the Councill & Representatives in and about the Town of Portsm$^{o}$ or Sealed up and given the new Treasurer to be Burnt the Next Sitting of the Gen$^{ll}$ assembly & that the Said Comittee Shall Discharge the Late Treasurer for what they receive.

James Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die In the house &c

Voted—That the Same Comittee that was appointed to write m$^{r}$ agent Newman: be now againe Desired to write him and thank him for his Service and pray his further prudent Care Relating to the lines & Stores for Fort William and Mary with what further Directions they Shall think most proper & psent it to the next assembly for approbation.

Sent up. Ja's Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die. a Mess$^{a}$ that the above was Concurrd and then the house adjourned to Wednesday X$^{r}$ the 14$^{th}$ 1726.

---

[p. 63.] Wednesday X$^{r}$ the 14$^{th}$ 1726.

The house met according to adjournment psent

John Plaisted, Andrew Wiggans } Esq$^{rs}$ — Cap$^{t}$ John Downing, M$^{r}$ Eph$^{m}$ Dennit, m$^{r}$ Theo atkinson

The Liv$^{t}$ Gov$^{s}$ adjourned the assembly to Thursday X$^{r}$ the 15$^{th}$ 1726.

---

Thursday X$^{r}$ 15$^{th}$ 1726 A. M. The house met according to adjournment psent

m$^{r}$ Speaker Weare, John Plaisted, James Davis, John Gillman, Andrew Wiggans } Esqrs — William Fellows, Paul Gerrish, John Gillman, Sam$^{ll}$ Tibbets, m$^{r}$ John Redman, John Sandburn, Ephr$^{a}$ Dennit, Theo Atkinson, Eben Stephens, Richard Jennes

Cap$^{t}$ John Downing

Then the house adjourned to Fryday X$^{r}$ 16 A. M.

[P. 64.] Fryday X^r the 16^th 1726 A. M.

The house met according to adjournment all psent as Entred for the Day.

Eod^m Die. allowed Cap^t Henry Sherburne in full of his acc^t £2 : 1 : 5d.

a vote ag^t appeals to Gov^r & Councill where Titles of Land is concernd was made & Sent up and a mess^a from the Board praying the house not to insist on the voate, the Governors Instructions being ag^t it.

Eod^m Die. In the house of Representatives

allowed Joseph Jackson £4 : 6 for his Negroes Service in y^e yeare 1713 at fort William and Mary.

Then the house adjourned for two hours P. M.

Fryday X^r 16^th P. M. The house met according to adjournment all psent as in the morning.

Eod^m Die. allowed m^r Theo Atkinson for plank he supplied at the Fort & wine to y^e Gen^l Estw^d £13 : 13 allowed Samuell Hart Jun^r Stocking guns 16.

Eod^m Die In the house of Representatives,

Voted—That the Keeper of his Maj^ties Goale at Portsm^o have free liberty to Sell ale beare & Cyder Excise free and that the Said Keeper pay Excise for all wines rum & other Spirits that he Sels as other Publick houses do from henceforward.

James Jeffry Cl^r ass^m

a mẹss^a pr m^r Clark Waldron that the above vote & y^e votes the other side were concurr'd.

Then the house adjourned to Sathurday X^r 17 A. M.

---

Sathurday X^r 17^th 1726 A. M. the house met according to adjournment all psent as Entered.

Eod^m Die. There was Bro^t into the assembly by Geo Jaffrey Esq^r the Sum of £202 : 3 : 3 of the 15M pounds Loan from y^e Grand Comittee & Burnt & voted that the Said Committee are hereby Discharged of the s^d Sum.

Ja's Jeffry Cl^r Ass^m

[P. 65.] alsoe there was Bro^t into the assembly by the Exe^r of the Late Treasurer Penhallow: the Sume of fifty Two pounds ten Shillings Eleaven pence farthing. It being part of the three hundred pounds put into the Said Samuell Penhallows hands for Exchanging the Broken Bills and Burnt Bills

Eod^m Die. In the house of Representatives

Voted Whereas his hon^r the Liv^t Governor hath had y^e whole Government as Comander in Chif Still continued upon him & been at Exterordinary charge & Trouble That he be presented and payd out of the Publick Treasury the Sum of one hundred and fifty pounds

James Jeffry Cl^r ass^m

The act for Double Juries was Read three times and past which is to Continue three years & the act for Emitting 442 & to be paid 1737: read 3 times and past & 1557£ 10*s.* 3*d* 557:10:3 in y^e yeare 1737: & 1000£ in 1738:—

Eod^m Die In the house of Representatives

Voted: That the Sheriff of this Province of New hampshire be paid out of the Publick Treasury for his Care and Service in Returning able & Sufficient Juries for the Severall Courts the Sume of Seven pounds four Shillings pr annum the time to comence from the first of Jan^r next: and to continue for three years

Sent up & Concurrd

James Jeffry Cl^r ass^m

Eod^m Die. In the house of Representatives

Voted That three hundred pounds of the Money Now Imprest be Signed off & put into the Publick treasury to pay what is allowed now Ja^s Jeffry Cl^r ass^m

[P. 66.] In the house of Representatives

Voted, That Whereas there is Severall psons Deceasd who were indebted to this Province for Severall Sums of money by Bonds viz of the fifteen hundred pounds

That the psons who have of that money in their hands: together with the heirs or Ex^rs of those that are Deceased pay the Principle and Interest or give Sufficient Security by Sufficient Bonds men therefor & that Coll John Plaisted m^r Ephraim Dennit & Cap^t William Fellows togethear with whome the Councill Shall appoint be a Comittee to receive the Same Either Money or Bonds and alsoe that the Treasurer get in the Interest Money from Kingstown

James Jeffry Cl^r ass^m

a mess^a from the Board that the above vote was concurr'd and that Cap^t Mac' John Frost & J Odiorn Esq^rs was appointed above to Joyne for that end.

Eod^m Die. In the house of Representatives

That m^r Henry Marshall Postmaster Gen^ll be presented and paid out of the Publick Treasury the Sume of three pounds for forwarding the Publick Letters to the Govern^r

James Jeffry Cl^r ass^m

The assembly was prorogued to y^e 2d May 1727

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Tuesday May y^e 2^d 1727

[P. 67.] The house met according to prorogation psent as here Entered—

here begins y^e New Establishm^t

| | | |
|---|---|---|
| M^r Speaker Weare | Esq^rs | John Gillman |
| John Plaisted | | Sam^ll Tibbets |
| James Davis | | m^r John Redman |
| John Gillman | | John Sandburn |
| Andrew Wiggans | | Ea Dennit |
| Cap^t John Downing | | Theo Atkinson |
| W^m Fellows | | Eben^r Stephens |
| Paul Gerrish | | Richard Jennes |

A message from the Board pr Sh^a Walton & Jotham Odiorn Esq^rs that his hon^r had adjourn'd the assembly to Wednesday the 3^d Inst am

---

Wednesday May the 3^d 1727 am the house met psent as Entered and the Speaker not being psent the house proceeded to Chuse a Speaker pro tempore: and John Plaisted Esq was Chosen: and a mess^a Sent up there upon And a message came pr m^r Clark Waldron that it was his hon^r pleasure that the house attend him at the Board And the house went up accordingly: and the Liv^t Gov^r Made a Speech, of which m^r Speaker prayed a Coppy and then return'd Eod^m Die. J Odiorn Esq^r Bro^t Down a Copy of y^e Speech: and then the house adjourned for two hours P. M.:

[See Journal of Assembly, p. 240.]

Wednesday May 3^d 1727 P. M. the house met psent as in the morning and adjourned to thursday the 4^th Ins^t 9 o'clock am

---

[P. 68.] Thursday May 4^th 1727 A. M.

the house met all psent as Entered.

Eod^m Die. In the house of Representatives,

Voted—That John Plaisted & andrew Wiggans Esq^rs &

m^r John Sandburn be a Comittee of this house to joyne w^th a Comittee of the upper house to goe down and view Fort W^m & Mary and the Stores of powder and wheels & Carryages and Make Report what is necessary to be Don as to repairs of Said Fort and what Stores of powder there is: & what the Repairs the wheels and Carryages want: and make report to the Gen^ll assembly as Soone as Possible.

James Jeffry Cl^r ass^m.

Eod^m Die. A Message from the Board pr m^r Cl^r Waldron that the above voate was concurrd with and that Geo Jaffrey Sh^a Walton & ar M^cphedris Esq^rs was appointed at the Board as a Comittee to joyn the above and to Do it tomorrow in the afternoone.

James Jeffry Cle^r Ass^m

Eod^m Die. In the house of Representatives

Whereas the allowance for his hon^r the livtenant Gov^r and the Members of the Councill & assembly is Not Sufficient to defray the charges Necessary when they attend:

Voted—That his hon^r the Liv^t Governor be allowed Twelve Shillings & Each member of the Councill Eight Shillings & Each member of the assembly Six pr day while they Shall attend & Sit in the Gen^ll assembly and to be paid out of the Publick Treasury from time to time from and after the first day of this Sess^ns And a Certificate from the Clerk of this house of Every members Service with the Members rec^t thereon Shall be Sufficient warrant and voucher therefor to the Treasurer for the payment thereof.

James Jeffry Cl^r ass^m.

this to Continue for three years & no Longer

Sent up May the Sixth and the Same day a message from the board that the above vote was concurr'd.

Then the house adjourned for two hours P. M.

[P. 69.] The Comittee for telling over the money Bro^t in their return of the 53841b old Cypher money

| | |
|---|---|
| By Coll Weare | £56:17:— |
| Coll Hunking | £15: 6:— |
| Geo Jaffrey Esq^r | £97: 1:— |
| Richard Wibird Esq^r | £29: 5:— |
| John Plaisted Esq^r | £12:19: 6 |
| | £211: 8: 6 |
| of the 1076:16: Tax for y^e yeare 1726 Bro^t in by m^r Treasurer Jaffrey | £984:17:10 |
| & he rec^d of m^r Penhallows Ex^er w^ch Dr himself with | £26: 2: 6 |
| | 1011:00: 4 |

of the Bank money Brot in by mr Treasur Jaffrey the Sume of £88:14:7½

Province of New Hampshir May 11th 1727. Wee the Subscribers being Chosen as a Comittee to receive ye Sundry Sums Due to ye Province upon Sundry funds viz Wee have recd of Cypher money as pr Contra. £211: 8: 6
from Treasurer Jaffrey Esqr of the Tax money 1011: 0: 4
from Do of the Bank money 88:14: 7½
all the above money being Burnt to ashes Witness our hands this 11th May 1727.

Richd Wibird
ar Ma'phedris
Epha Dennit
Wm Fellows
John Gillman.

May the 13th In the house of Representatives.

Voted—That Each pson above Named be & is hereby Discharged of the Severall Sums they Brot in as Carryed off and was Burnt.

[p. 70.]

Accompt of Expences of Gunpowder at Fort Wm & Mary : from ye yearc 1719 Inclusive of sd yeare

| | bb : lb |
|---|---|
| 1719 to 1720 | 14 : 56 |
| 1720 to 1721 | 13 : 30 |
| 1721 to 1722 | 13 : 12 |
| 1722 to 1723 | 9 : 34 |
| 1723 to 172¾ mar yt me Coats Died | 8 : 4 |
| being | 58 : 96 |
| By his Excellencys order for | bb |
| Londonderry | 1 : — |
| Do the Eastward | £—: 50 |
| To Expence of powder since mr Coats Dyed viz | |
| for the yeare 170¾ to 1725 | £7 : 15 |
| ye yeare 1725 to 1726 | £6 : 20 |
| 1726 to 1727 | £5 : 40 |
| Barrells | 79 : 21 |

James Jeffry Clr assm

accompt of Powder money recd from June 1719 to 9r 1726 as Taken out of my Book.

| | Bar : lb |
|---|---|
| | 2 : 70 |
| | 3 : 50 |
| | 5 : 90 |
| | 5 : 60 |
| | 6 : 20 |
| | 9 : 15 |
| | 2 : 60 |
| | 5 : 20 |
| | 45 : 46 |
| Take of ⅓ part being ye Difference 2\| 3\| is | 15 : 18 ⅓ |
| | 30 : 37 ⅔ |
| So much recd of mr Penhallow in the Last fourth Months | 4 : 00 |
| Do to J Wentworth | 5 : 80 |
| Do of mr Jaffrey | 1 : — |
| Do of mr Penhallow | 1 : 50 |
| to So much recd of Mr Penhallow from ye Store house | 35 : 70 |
| | 78 : 37⅔ |

J Wentworth
Vera Copia.

In the house of Representatives
may the 18th 1727

There was Brot into the assembly & Burnt of the old Cypher Money By majr John Gillman forty Six pounds twelve & three pence £46 : 12 : 3d voted that the Said majr John Gillman be Discharged of the Said Sum

James Jeffry Clr assm

[p. 71.] Thursday may the 4th 1727 p. m.

the house met according to adjournment all psent as in the morning

Eodm Die In the house of Representatives

Whereas the Executor of the Late Treasurer Penhallow hath not Charged any Sallary for the Treasurer Service for the yeare 1726 : but left it to the Genll assm to allow what they please

Voted : That there be Credit given in Said Penhallows acct for Seventy five pounds for the Treasurers Service for the yeare 1726 :

James Jeffry Clr assm

Eodm Die. In the house of Representatives

voted, that the Return of the auditors on the Late Treasurers accompt and the accompt allowed :

James Jeffry Clr assm

Then the house adjourned to fryday ye 5th Inst am

---

Fryday May the 5th 1727 a. m :

the house met according to adjournment all psent as Entred

Eodm Die In the house of Representatives

Voted, That Mr Speaker Weare Majr John Gillman & andrew Wiggans Esqrs Capt Wm Fellows Capt Paul Gerrish & mr Theo Atkinson be a Comittee of this house : to Joyn wth a Comittee of the upper house, to Draw up a Scheam for the Equall assessing the Severall Towns & p'ishes in this Province : that a New Proportion of Rates may be made : and to make their Return to the assembly the Second day of Sitting after the next adjournmt by the Governor

James Jeffry Clr assm

Eodm Die. Geo Jaffrey Esqr one of the Comittee that was appointed to write mr agent Newman came into the house and read Som letters from Sd agent : and alsoe read the letter that the Comittee had writ to Send Sd agent

Eod$^{m}$ Die. A Message from the Board pr m$^{r}$ Cl$^{r}$ Waldron y$^{t}$ y$^{e}$ vote for the Scheam about the New Proportion was concurr'd & y$^{t}$ Coll Hunking R Wibird J odiorn & ar M phedris was appointed at the Board for y$^{t}$ end

Then y$^{e}$ house adjourned for 2 hours P. M.

[P. 72.] Fryday May y$^{e}$ 5$^{th}$ 1727 P. M.

The house met according to adjournment But the Comittee of both houses going to the Fort there Could not be a house and therefore adjourned to Sathurday the Sixth of May am

---

Sathurday May the 6$^{th}$ am The house met according to adjournment all psent as Entred

Inventory of Sundry Stores belonging to Fort W$^{m}$ & Mary at New Castle Taken the 5$^{th}$ of May 1727

20 Demy Culverin
8 Sakers
12 Minions
2 Falkins
one M Demy culverin Shot
260 four pound Shot
9 Ladles for minions 1 wanting
14 Ladles for Demi Canon & Sakers 1 wanting
9 Rammers Severall Staffs
7 Great Crows 2 Small ones
1 Large at Cap$^{t}$ Frosts
Do at m$^{r}$ Parsons
24 Crab handspikes 3 wanting
5 Boxes Cartridge Shot one Stole by W$^{m}$ another Exped'd
1 Drum & 2 Drum Rims
1 Grapline 502 lb Iron
1 Logger head 3 pick axes
1 wanting 2 axes
19 Cartridge for Minion
24 for Demi culverin
7 lead aprons 1 hide 14 wanting
3 wanting 4 lanthorns Defective Som Match 1 priming wire
4 linstocks Spongheads wanting
1 Budge Barrell 3 wanting
2 Sledges: 2 wanting large Iron Pot
Some Cartridges made for each
Some paper
Seven halfe Barrels of Powder & one pecie ?
Defective Stores
6 Demi Canon 6 pre Cariage pes ten pre Wheels
Feild pis 6 pre Wheels Defective
2 pre carriage pis
400 lb old Iron
4 Boxes Cartridge Shot
2 Broken

J Wentworth Jun$^{r}$.

vera Copia

James Jeffry
Clark assembly

[P. 73.] Sathurday may 6, 1727 am

In the house of Representatives

Voted, That Cap$^{t}$ W$^{m}$ Fellows, Cap$^{t}$ Paul Gerrish & m$^{r}$ Eap$^{m}$ Dennit be a comittee of this house: to Joyn with a Comittee of the upper house to Examine m$^{r}$ Treasurer Jaffrys acc$^{t}$ and make Return to the Gen$^{ll}$ assembly

James Jeffry Cl$^{r}$ ass$^{m}$

Eod[m] Die a Message from the Board that the above voat was concurrd with: and R Wibird ar M phedris & Jotham Odiorn Esq[rs] was appointed at the Board to Joyn with the above

Eod[m] Die In the house of Representatives

The Comittee that went to view Fort W[m] & Mary Made their Return as under

Province of New hampshire May the 5[th] 1727

Psuant to a Vote of Gen[ll] assembly May the 4[th] 1727 Wee have viewed Fort W[m] & Mary and all the Stores a list of which is herewith presented: and report that there is wanting Six carriages for the Demi Cannon & Six pre of wheels; the field pieces Six pre wheels and two paire of carriages: and that there be one hundred and fifty pounds laid out to Repaire the Stone work this Sumer which is submitted pr

| | | |
|---|---|---|
| Geo Jaffry | Jo[n] Plaisted | Comittee |
| Sha Walton | Andrew Wiggans | |
| ar M phedris | John Sandburn | |

Then the house adjourn'd to Munday May the 8[th] 1727 mem[o] the Return of the Stores Entred on the other leafe

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[p. 74.] Munday May the 8[th] 1727 am

The Met according to adjournment psent as Entred

| | | |
|---|---|---|
| M[r] Speaker Weare | | John Gillman |
| John Plaisted | | Sam Tibbets |
| James Davis | Esq[rs] | M[r] John Redman |
| John Gillman | | John Sandburn |
| Andrew Wiggans | | Ea Dennit |
| Cap[t] John Downing | | Theo Atkinson |
| W[m] Fellows | | Ebenez[r] Stephens |
| Paul Gerrish | | Richard Jennes |

The Comittee for Proportioning the Town went on that affaire The house adjourned to Tuesday May 9[th] am

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Tuesday May the 9[th] 1727 am, the house met according to adjournment all psent as Entered

Eod[m] Die. In the house of Representatives

Voted: That Cap[t] W[m] Fellows: m[r] Theo Atkinson and m[r] Ea Dennit be a Comittee of this house to Joyn with a

Comittee of the upper house to tell over all the Money that is to be brot into the assembly this Sessions and to make return thereof to the Genll assembly

Jas Jeffry Clr assm

the Comittee for telling the money went out for yt Service Then the house adjourn'd to Wednesday May 10th 1727 A. M.

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[P. 75.] Wednesday May the 10th 1727 A. M.

The house met according to adjournment all present as Entered

Eodm Die In the house of Representatives

The Return of the Comittee for Drawing the Scheam for New Proportioning the Towns p'ishes and Districts of this Prov. the Poles and estates be assesd in the following Manner Poles 16 years old & upward 100d

Income upon Trade 1d upon the pound (the Trade to be Sworn to) (if complaint be made) offices 1d upon the pound of their Incom
Do on houses & lands Improved @ 6 years incom Deemd to be ye vallue at 1d on the pound

| | |
|---|---|
| Every ox 4 years old & upwards @ 4 lb | |
| Cow 3 years old & upwd | 2:10: |
| Horse Do Do | 4: |
| Swine 1 yeare old | :16: |

Sheep free for Encouragmt
Indian and Negroe Slaves ad vallorem from 16 years old to 40 years of age: all which is Submitted.

Voted—That this return be accepted (with this amendment) viz that the Single Pole be rated at 60d instead of 100d and that Each Town and p'ish and precinct be new proportioned once in Every

Eodm Die. A Messa pr Jot Odiorn Esqr yt ye above voat was concurrd at the Board.

Eodm Die. In the house of Representatives.

Voted—That Londonderry be Taxed this yeare for the Province Tax the Sume of forty pounds; and that they bring in a list of their Rateable Estates with the other Towns Next May Sessions in the Same Manner.

James Jeffry Clr assm.

Then the house adjourned for two hours P. M.

[P. 76.] Wednesday May 10th 1727 P. M.

the house met according to adjournment all psent as Entered: the Comittee for telling over the Money being on that affaire the house adjourned to Thursday the 11th A. M.

Thursday May 11th 1727 A. M.

The house met according to adjournment all psent as Entered, the Comittee for telling over the money being Still on that affaire the house adjourned for two hours P. M. Thursday May the 11th 1727 P. M. the house met according to adjournment all psent as Entered ; and adjourned to fryday the 12th of May 1727 A. M.

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Fryday may 12th 1727 A. M. the house met according to adjournment all psent as Entered.

Eodm Die. In the house of Representatives

Voted—That John Gillman Esqr & mr Eaphraim Dennit be a Comittee of this house to joyn with a Comittee of ye upper house to Draw up an act Requiring Every Town p'ish and precinct within this Province, to take a list and Inventory of all their Poles & Estates Rateable psuant to the return of the Comittee & vote of Genll assembly thereon of the 10th Inst.

James Jeffry Clr assm.

Eodm Die. In the house of Representatives

allowed Benja Rust 12*s* in full for his Service in going for the Members of this house that were wanting last Sessions.

Eodm Die. allowed Benja akerman ten pounds for his Service attending Govr and Councill & assembly for the ye yeare 1726.

a vote past for powder Money: yt 1lb powder or 3*s* money to be pd for Shipping past and sent up.

[P. 77.] allowed Stephen Greenleafe 30*s* for two Sheep at Casco & Charges allowed Capt Hen Sherburn 20*s* in full for his acct there being a Mistake last Sessions.

allowed Clark Waldron 75lb for his Service as Clr of the Counll for the yeare 1726.

Then the house adjourned for two hours P. M.

Fryday May the 12th 1727 P. M : the house met according to adjournment all psent as Entered.

Eodm Die. In the house of Representatives

Voted that the Carryage Wheels mentioned in the Return of the Comittee that viewd the Fort be repaird according to Said Report and yt ye Same be let out by a Comittee to be appointed for that End to him or them that will Do it Cheapest & that the Stone work be defered for the present.

James Jeffry Clr assm

Eod$^{m}$ Die. In the house of Representatives allowed John Newmarsh £3 : 7 : 4 in full of his accompt Bro$^{t}$ in Don in the yeare 1721 for the fort Boat.

Then the house adjourned to Sathurday y$^{e}$ 13$^{th}$ a. m.

Sathurday May 13$^{th}$ : 1727 A. M. the house met according to adjournment all psent as Entred

Eod$^{m}$ Die. In the house of Represen$^{t}$

Voted that Londonderry be Taxed this yeare to the Province Tax the Sume of 40 lb : and y$^{t}$ y$^{e}$ Treasurer Issue out his warrant accordingly James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die A Message from the Board pr m$^{r}$ Geo Jaffrey y$^{t}$ y$^{e}$ above vote for Londonderry & John Newmarshes was Concurd

Eodm Die memorandum : That m$^{r}$ Theo atkinson hath made up with the Comittee for taking the Interest of y$^{e}$ 1500 lb and that he has p$^{d}$ Seven pounds ten Shillings more than his interest Due to y$^{e}$ 25$^{th}$ of aprill 1727 which he must have Cr$^{t}$ for as Interest p$^{d}$ James Jeffry Cl$^{r}$ ass$^{m}$

Then the house was adjournd by order of y$^{e}$ Liv$^{t}$ Gov$^{r}$ to Wednesday next at 10 a clock

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[P. 78.] Wednesday May 17$^{th}$ 1727

The house met according to adjournment all psent as Entred

M$^{r}$ Speaker Weare
John Plaisted, John Gillman, James Davis, Andrew Wiggans } Esq$^{rs}$
Cap$^{t}$ John Downing
W$^{m}$ Fellows
John Gillman

Debentures out 14 dayes

Sam$^{ll}$ Tibbets
Paul Gerrish
M$^{r}$ Ea Dennit
John Sandburn
Theo Atkinson
Eben$^{r}$ Stephens
Richard Jennes

Eod$^{m}$ Die. In the house of Representatives

Voted—That John Plaisted Esq$^{r}$ be one of this house to joyne with one of the upper house to be a Comittee for letting out the wheels & Carryages for y$^{e}$ Fort.

James Jeffry Cl$^{r}$ ass$^{m}$

A Mess$^{a}$ from the Board pr Geo Jaffrey Esq$^{r}$ that the Board Intirely refers the letting out the wheels & Carryages to Coll Plaisted : Then the house adjourned to

Thursday May the 18$^{th}$ 1727 am

Thursday May 18th am The house met according to adjournment all psent as Entered.
the votes for Sundry allowances was Sent up.

amt 110 : 8 : 8

Then the house adjourned for two hours P. M.

[P. 79.] Thursday May 18th 1727 P. M.

the house met according to adjournment all psent as Entered.

Eodm Die. In the house of Representatives

Whereas it is Represented to this house that mr John Redman Desires to be Dismissed from this house by Reason of his great age and Infirmness—

The house having considered thereof: and Considering the great age and Infirmness of the Said mr John Redman Tho he hath been a Serviceable member of this house—

Resolved—That according to his Request he be Dismissed & that mr Speaker Issue out a precept That the Town of Hampton may Send another Representative in the Roome of the Said John Redman So Dismist agt the next Sitting of the assembly.

James Jeffry Clr assm

Eodm Die In the house of Representatives

the Bill with amendment for Proportioning the Towns &c was Read three times and past to be Enacted.

Then the house adjourned to Fryday the Nineteenth am

---

Fryday the 19th 1727 am the house met according to adjournment all psent as Entered.

In the house of Representatives,

Voted, That there be Nine hundred pounds Signed off of the money last printed and put into the Treasury for the payment of the allowances made by ye Genll assembly

James Jeffry Clr assm

Eodm Die: A Messa pr mr Clr Waldron that the above voat for the 900 lb was Cheerfully concurrd with

Eodm Die. In the house voted: That mr Treasurer Jaffrey receive from ye Exer of ye late Treasurer Penhallow ye Balla of his accompt & alsoe to rec ye 247 lb: 9: ¾ money yt was put into his hands for Excha old Bills

James Jaffry Clr assm

A Messa from ye Board pr mr Geo. Jaffrey yt ye Last voate was concurrd

Then the house adjourned for two hours P. M.

[P. 80.] Fryday May 19th P. M. the house met according to adjournment all psent as Entred the Speaker being gon home Indisposed the house proceeded to Chuse a Speaker protempore: and Coll John Plaisted was Chosen.

Eodm Die In the house of Representatives,

the bill for the powder act was read three times and past to be Engross'd James Jeffry Clr assm.

Eodm Die In the house of Representatives,

the house being Equally Divided on passing the Bill for Proportioning the Towns &c the Speaker gave his vote that the Said Bill goe up without amendment and to be So Engrost

James Jaffry Clr assm

a vote: for Impowering Clemt Hughes to administer an oath to all Taverners Retailers that are licensed by the Quarter Sessions In the house voted a concurrence with amendmt that he receive no Excise from any pson but such as are licensed by authority Nor administer any oath to any but those that are Regularly licensed Then the house adjourned to

Sathurday ye 20th of May A. M.

---

Sathurday May 20th 1727 A. M. the house met according to adjournment all psent as Entred

Memorandum Given mr Geo Jaffrey a Note under ye hand of mr Clemt Hughes for Sixteen pounds 16*s* & nine pence being the Ballance of the Excise accompt for ye yeare 1725 the Note Dated May 3d 1727

Jas Jeffry Clr assm

[P. 81.] In the house of Representatives

Memorandum alsoe that of the three bonds for the Excise of Mr Clemt Hughes that was put into the Clr of the assembly hands for Safe Keeping—mr Treasurer Jaffrey came into the assembly and acknowledged that he had recd one of the Bonds Due for the yeare 1726: and the Clr is hereby Discharged of Said Bond: and the Clr is hereby ordered to Deliver the Next Bond for the Excise for ye yeare 1727 when Due James Jeffry Clr assm

Eodm Die In the house Delivered mr Treasurer Jaffry

those notes following viz, one from John Penhallow Esq$^{r}$ for £52 : 10 for Interest Due for the 200 lb his father had: Deducting what appears to be paid @ 2½ pr C$^{t}$: and likewise the Liv Govornors Note for the like Sum Deducting after the Same Manner & Coll Richard Waldrons the Same Tennor Cap$^{t}$ Wibirds Note for 6 : 18 : 6: Due to y$^{e}$ 25$^{th}$ ap$^{r}$ 1727 M$^{r}$ Henry Sherburne 13 : 11: Due to y$^{e}$ Same time Coll Waltons Note for 7 : 17 : 6 : Due to y$^{e}$ Same time Deducting w$^{t}$ appears to be paid m$^{r}$ Geo Jaffreys Note for 52 : 10 for interest to y$^{e}$ 25$^{th}$ ap$^{r}$ 1727, at 2½ pr C$^{t}$ Deducting w$^{t}$ appears to be paid James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die In the house

allowed Benj$^{a}$ Rust £6: 4: 9$^{d}$ in full of his accompt of Expences of the Comittees &c to May 18$^{th}$ 1727

A Mess$^{a}$ from the Board that Rust & Sherburns allowances & Gilmas Discharge was concurd

The auditors for m$^{r}$ Treasurers accompts made theire return viz,

[p. 82.] Sathurday May 20$^{th}$, 1727

Wee being appointed a Comittee of both houses to audit & examine the Treasurers accompts; have exam'd the Same and find them well vouch'd & Right Cast do allow thereof all Except the Comissions for receiving & paying which is Submitted to the Gen$^{ll}$ assembly

| | |
|---|---|
| W$^{m}$ Fellows | R Wibird |
| E$^{a}$ Dennit | Ar M'phedris |
| Paul Gerrish | Jot$^{h}$ Odiorn |

Eod$^{m}$ Die In the house of Representatives

Voted, the above Return be accepted and allowed

James Jeffry Cl$^{r}$ ass$^{m}$

a Vote Bro$^{t}$ Down from the Board by m$^{r}$ Clark Waldron appointing Theo atkinson to be receiver of the powder money required to be paid by an act Past this Sessions which vote was read and concurr'd James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die, a vote Bro$^{t}$ Down from the Board by John Frost Esq$^{r}$ Directing the Treasurer to Procure a Bill of 50 lb Sterling for agent Newman to Enable him to pass thro' the further business of this Province which vote was read and concurrd: and that Cap$^{t}$ W$^{m}$ Fellows & Theodore Atkinson be of the Comittee to Joyn with the Gen$^{t}$ appointed by the Board for the end above S$^{d}$

Eodem Die In the house of Representatives

The answer to the Kingston Petition: viz That they pay 10 pr C$^{t}$ for the Money as the Rest of those that have of y$^{e}$

15 M pounds Do: and that the 500 lb they have be Burnt in the Same manner it was returned & reconsidered to ly for consideration to Next Sessions

[p. 83.] In the house of Representatives

Voted: That 2 M pounds be made for defraying the Charges of the Fort W^m & Mary and fortifying the Frontiers be made & Signed off & paid in by a Tax of 1 M in 1739: & 1 M in 1740 James Jeffry Cl^r ass^m

Whereas his hon^r the Liv^t Governor hath acquainted the Board that he has late letters from his Excellency Govern^r Shute advising that his Excellencie Designs verry Speedily for New England: and that he intends to land in this Province Therefore In Councill voted That a Comittee of both houses be appointed to make Suitable Provision for receiving & Entertaining his Excellency upon his arrivall here and that m^r Treasurer Jaffrey & Cap^t Wibird be of the Comittee from the Board for that Service

R. Waldron Cl^r Con^ll

Eod^m Die In the house of Representatives

the above voat read and concurr'd: & voted that Cap^t W^m Fellows & m^r Theo Atkinson be a Comittee of this house to Joyn with the Comittee above mentioned

James Jeffry Cl^r ass^m

Eod^m Die In the house of Representatives

allowed John Cutts 10*s*, as Vendue Master for y^e Excise

allowed John Griffiths 25*s*, for work formerly Don at Fort W^m & Mary

allowed m^r Sherif Gambling 15 lb as Sherif for y^e yeare 1726 Whereas his hon^r the Liv^t Gov^r hath y^e whole Gover-m^t Still continued upon him as comander in chief: voted y^t he be presented & paid out of y^e Publick Treasury the Sume of 100 lb as comander in Chief; & for his Exterordinary Service don y^e Good People & Inhabitants of this Province y^t he be presented with the Sum of 40 lb more Sent up and concurrd

James Jeffry C. ass^m

and then the Gov^r Prorogued the assembly to y^e 20^th June next.

[P. 84.] Tuesday June 20th 1727 the house met according to prorogation psent

Majr John Gillman
Andrew Wiggans } Esqrs
James Davis

Capt John Gillman
Wm Fellows
Sam Tibbets
mr Ea Dennit
John Sanburn
Theo Atkinson

And were Prorogued to 20th July 1727 By the Livt Govr

---

Tuesday June the 27th 1727 the house met by an Speciall order from the Livt Govr as Comander in Chief psent mr Speaker Weare

John Plaisted
James Davis
Andrew Wiggans } Esqrs
John Gillman

Capt Wm Fellows
Paul Gerrish
Samll Tibbets
John Gillman
mr John Sandburn
Ea Dennit
Ebenr Stephens
Theo Atkinson

A Messa from the Board that it was his honr pleasure yt the house attend him at the Board the house went up and the Livt Governor made a Speech which was yt he had recd a letter from Livt Govr Dumer that Came from the Thre Indian Tribes that had not come into the former peace made wth the Penobscot Tribe: and that he intended to meet them ye 10th July at Falmouth and Desired his Company: a Copy of the Letters & mr Dumers Letter was Sent Down

Eodm Die In the house of Representatives

the Question being put whether this Government Shall Send to Ratifie the Peace with those three Tribes that hath now Sent & are waiting at *Tirionet?* it past in the affirmative

Eodm Die In the house of Representatives

Voted: That this Province send to Casco to Ratifie the Peace wth the three Tribes of Indians now on Kennebeck River in the manner as Don wth the Penobscot

James Jeffry Clr assm

Narrigawack
Wenewenock
Anessegontacook
Wiwarna
Ommeway
Porresine

[p. 85.] June y^e^ 27^th^ 1727

In the house of Representatives

Voted, That Josiah Nedd a Cape Cod Indian in the Service of the Province of New Hampshire in the late Canada Expedition (as a Soldier) under the Comand of Cap^t^ James Jeffry have the Gun Delivered to him, y^t^ was given him in that Expedition & y^t^ his hon^r^ the Liv^t^ Governor be Desired to give orders for the Same

James Jeffry Cl^r^ ass^m^

Eod^m^ Die

A Mess^a^ from the Board pr m^r^ Cl^r^ Waldron y^t^ y^e^ above voate was concurrd Then the house adjourned to Wednesday y^e^ 28^th^ A. M.

---

Wednesday June the 28^th^ A. M. The house met according to adjournment all psent as Entred yesterday

In the house of Representatives

Voted, That his hon^r^ the Liv^t^ Governor be Desired to Comisionate one pson or more as his hon^r^ Shall think Convenient to goe to Casco to treat with the Indians there, with power to Ratifie the Peace already Made with the Penobscot Tribe: and to Make Peace with any other Tribe with whome wee are at Warr

James Jeffry Cl^r^ ass^m^

Eod^m^ Die

A message was Sent Down with the above voat by Geo Jaffrey Esq^r^ to be reconsidered

Then the house adjourned for two hours P M

Wednesday June y^e^ 28^th^ 1727 P M the house met according to adjournment all psent as in the Morning

an addition to the Govornors Speech was Sent Down viz

*Gen't* the vote you Sent up Desiring me to appoint Comiss^rs^ to Represent this Goverment for the Makeing Peace with the three Tribes now Waiting at the Eastward for our answer, I Can by no Means adhere to: It being inconsistent with the hon^r^ of this his Maj^ties^ Goverm^t^ So to do: therefore I advise you to reconsider your vote

We have now an opportunity to Make an hon^ble^ and lasting peace with those Indians that have So often laid waist our Dwelling places and Cruely Murdered many of our friends & Neighbors: which I think Cannot be forgotten by us: more Especially you that live on our [p. 86.] Frontiers It lies entirely with you Gen^t^ of the house of Represen^t^ this Board being all of opinion that its highly Reasonable and Necessary that wee Imbrace the Season: Let us prefer y^e^ peace Quiet

good Settlement of our Country; & lives of our friends before Money: for I find there the Matter Sticks J. WENTWORTH.

Copia James Jeffry Clr assm

Eodm Die. In the house of Representatives

Voted, That it is our advice that his honr take two of the Councill: and one of the house: (as Shall be by them appointd) with him to Casco Bay or Els where: there to Ratify & Make any Peace he Shall think fit, & that the Treasurer Supply him with what Money or Necessaries he Shall think fit for that affaire: and that he make a present to the Indians of 20 lb and that his honr be Desired to be as frugall as may be Consistent with the honr of the Goverm$^{t}$ in this affaire

James Jeffry Clr assm

Eodm Die.

A Message from the Board pr Geo Jaffrey Esqr that the above vote was approved off only that the psent to the Indians of 20 lb was to little: In the house It was amended and Made about 25 lb & Sent up by the Same Messenger

Eodm Die. In the house

Voted: That mr Theo Atkinson be appointed from this house to goe with his honr the Livt Govornor to Cascoe or Elswhere to Ratify & Make Peace with the Indians.

James Jeffry Clr assm

Eodm Die a messa from the Board yt ye above voates was Concurd & yt Sha Walton Geo: Jaffrey & R Wibird were appointed at ye Board

| | | | | |
|---|---|---|---|---|
| Debent out | Sandburn | 24 days | Wiggans | 22 days |
| | Stephens | 15 | Tibbets | 17 |
| | Capt Gillman | 17 | Dennit | 24 |
| | Majr Gillman | 23 | all to this 28 June | |

Eodm Die In the house

Voted that there be two hundred pounds of the Money in the Comittees hands now Signed [p. 87] off and put into ye Treasury for the Defraying the psent charges in going to Casco to Meet the Indians James Jeffry Clr assm

Eodm Die a messa from the Board pr Sha Walton ar M' & the Clerk that the above voat was Concurd with & that the assembly Stands prorogu'd as before & now Dismis'd for the psent

Tuesday August 29th 1727 the house met according to Proclamation psent as Entred

| | | |
|---|---|---|
| mr Speaker Weare | } Esqrs | Samuel Tibbets |
| John Plaisted | | John Gillman |
| James Davis | | mr Ea Dennit |
| Andrew Wiggans | | John Sandburn |
| John Gillman | | Theo Atkinson |
| Capt Wm Fellows | | Richard Jennes |
| John Downing | | Ebenr Stephens |
| Paul Gerrish | | Joshua Wingate |

A Messa from the Board to Know if there was house: and yt if there were: It was his pleasure that they appear at the Board to take the Oaths to King George the Second: the house went up all as Entred and the Clark and tooke the oaths: and then return'd

Eodm Die Mr Sherrif Gambling Made his Return from hampton that Capt Joshua Wingate was Chosen a Representative in the Roome of mr John Redman Lately Dismissed which return was Read and then the house Sent two of their Members to Introduce the Said Capt Joshua Wingate: and a Message Sent up to the Board by 2 Members to Inform [p. 88.] his honr that Capt Wingate as a member of this house wants to be Qualified by taking the oaths. Then a messa was Sent from the Board for Capt Wingate to appeare at the Board: Who went up and took the oaths appointed and Returned and took his place in the assembly as a member thereof

Eodm Die. Mr Clerk Waldron Brot Down the Governors Speech and a Treaty & Ratification of Peace with the Indians was Read in the house: Then the house adjourned to Wednesday the 30th am.

[See Journal of Assembly, pp. 254-258.]

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Wednesday august the 30th 1727 am:

the house met according to adjournment all psent as Entred

Eodm Die In Councill august 30th 1727

Voted, That his Majtie King George the Second be addresd by this Goverment by way of Congratulation upon his accession to ye British throne: and that a Draught of an address be prepared accordingly by a Comittee appointed for that End: and that Geo Jaffrey & Richard Wibird Esqr be of the Comittee from ye board for that Service

Richard Waldron Clr Counll

Eod^m Die In the house of Representatives

Read and Concur'd and voted that Cap^t W^m Fellows & m^r Theo atkinson be of the Comittee of this house to Joyn with the above Chosen for that End

James Jeffry Cl^r Ass^m

Then the house adjourned for two hours P M

Wednesday august the 30^th 1727 P. M. the met according to adjournment all psent as in the Morning

M^r Treasurer D^r to Receipt of what Sundry things were Sold for at vendue on Board the Schooner at her Return from Casco

| | |
|---|---|
| By rec^d of John Cutt | £1:13 |
| By rec^d of Sam^ll Rymes R Wibird & Benj^a Dockam | £4: 2:6 |
| | 5:15:6 |
| Mem^d the Balance of the accompt of Expences going to Casco is | £386:—:4 |

[P. 89.] august 30 1727

Upon Request of Andrew Wiggans Esq^r that Benj^a Follets Might have a license for himself and house at Stretham (the house being convenient for a Public house) he paying Excise and giving bonds to the Sessions for his Keeping good orders: the house to be licensed for two years, conforming as above

In the house

Voted—That Benjamin Follet be licensed to keep a publick house in his Dwelling house at Stretham for one yeare he giving Security to the Sessions for his keeping good orders: & paying Excise according to Law.

James Jeffry Cl^r ass^m

Eod^m Die. the Treasurers Ballance of his acc^t for the Disbursements at y^e Ratification at Casco is £386:—: 4

& more allowed Geo Jaffrey Expended at Casco not y^e acc^t £ 2: 5: 7

£388: 5:11

Eod^m Die. In the house of Representatives

Voted—that the Sum of £188:5:11 be Signed off and put into y^e Treasury for the payment of the above Sume of 388:5:11.

James Jeffry Cl^r ass^m

Eod^m Die. In the house

Ordered—That m^r Treasurer Jaffrey receive of Maj^r John

Gillman & Theo Atkinson y^e^ Comittee that Sold the old Prison the Sume it was Sold for: and alsoe they are hereby ordered to pay the Same to him.

James Jeffry Cl^r^ ass^m^

A Mess^a^ pr m^r^ Clark Waldron.

y^t^ the vote for allowances

the vote for payment of money into the Treasury & the vote about the Prison money were all Concurrd.

Then the house adjourned to Thursday 9 a Clock am.

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[p. 92.] Thursday august 31^st^ 1727 am the house met according to adjournment all psent as Entered.

Eod^m^ Die. In the house.

Whereas by the death of his late Maj^tie^ King George of Blessed Memory Sundry Disputes may arise about writs and Process and precepts that have been Issued out in the name Stile and Title of the Said King: by Sundry psons that do not Know what acts of Parliament are made and provided in Such Cases.

Therefor Ordered for preventing and Removeing any Such Doubts or Disputes about any writ process or precepts Issued out in the name & Stile of his S^d^ late Maj^tie^ King George of Blessed Memory & Suits Depending thereon: Provided y^e^ S^d^ writs were Served or comenced before his present Maj^tie^ King Geor the Second was Proclaimed in this Province that then and in Such Cases: No Writ Process Precept or any Matter Testamentary Shall abate be Qualified or in any wayes put by its due & Legall proceedings: for or by reason of the Name & Stile of his Said Late Maj^tie^ King George being inserted therein: Provided as above Provided But that all Such writs Process & Precepts: and letters Testamentary & Probate buesness Shall proceed in Due course of Law as if Such Death of the Late King had not been.

James Jeffry Cl^r^ ass^m^

Eod^m^ Die. A Mess^a^ from the Board pr Jotham Odiorn Esqr that the above vote was concurrd with.

Memorandum for m^r^ Greenleafe to be considered at y^e^ next Sitting: and Thomas Harveys Note.

[p. 93.] Memorandum Whereas Cap^t^ archibald Macphedris as a Comittee man Did give a rec^t^ to Coll John Plaisted for

the thirteen bonds for y^e^ 1700lb : which Bonds are Bro^t^ into the assembly : and the Said Macphedris is hereby Discharged of the Said rec^t^ it not being to be found.

James Jeffry Cl^r^ ass^m^

Eod^m^ Die. In the house.

M^r^ Eaphraim Dennit was Sent up with a Mess^a^ that the house had no further buesness before them.

A Mess^a^ from the Board pr m^r^ Clark Waldron that the house appeare at the Board which they Did and were prorogued by the Liv^t^ Govornor to the first tuesday in october Next.

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Tuesday october the 3^d^ 1727 met according to prorogation.

Cap^t^ W^m^ Fellows } & the Cl^r^ ass^m^
Cap^t^ John Downing }

and were Prorogued by order of the Liv^t^ Gov^r^ to the Second Tuesday in November Next.

Memorandum the Bonds for the 1730lb is Entered two leaves forward—& who have them in Keeping Cap^t^ W^m^ Fellows Debenture to this 3^d^ october 30 days.

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[p. 94.] Tuesday 9^r^ 14^th^ 1727 the house met according to Proroga^n^ psent

M^r^ Speaker Weare.

John Plaisted, James Davis, John Gillman, Andrew Wiggans } Esqrs

Cap^t^ John Downing
John Gillman
Joshua Wingate
W^m^ Fellows
Sam^ll^ Tibbets
Paul Gerrish
m^r^ John Sandburn
Ea Dennit
Theo Atkinson
Eben Stephens
Richard Jennes

a Messa from the Board pr m^r^ Clerk Waldron that the house appear at the Board : the house went up accordingly and the Governor made a Speech and then the house returned : and the Speech was Sent Down.

a Petition for y^e^ north part of Exeter to be a precinct was Bro^t^ & Read & acted upon. But was new Don in December.

Then the house adjourned to Wednesday 9^r^ 15^th^ A. M.

Wednesday November y^e^ 15^th^ am the house met according to adjournm^t^ all psent as Entred: and a vote past that all Shop book acc^t^ Should not Stand open above three years then Came Down a Mess^a^ from the Board that the house was adjourned to Tuesday 9^r^ 21, 1727

---

Tuesday November the 21: 1727 the house met according to adjournment all psent as Entred: and the Governor withdrew his Speech of 9^r^ y^e^ 14^th^ 1727 and gave another this Day and then the house adjourned to Wednesday the 22^d^ 1727 A M

---

Wednesday 9^r^ 27^th^ 1727 the house met all psent as Entred a Mess^a^ from the Board that the house went up accordingly: and By the Livten^t^ Governor were Disolved

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[*Lt. Governor's Speech which was withdrawn.*] *Ed.*

[P. 95.] *Gen't* There has nothing of moment occurd Since the last Sessions from England: So that I have nothing to Comunicate to you Save that m^r^ agent Newman Expects that the affaire of the line Between the Province of New hampshire and the Massachusets will Come on by Christmas So that as we have powerful Enemies to Engage with I hope you will Make Such Provision for our agent as may Enable him to prosecute the business vigorously for without money Nothing of moment can be Transacted: your Diligent application to y^e^ occasion of the Sessions will make it Short: I recomend the Makeing of Some New Laws to Strengthen the old: also that you will Consider Some Expedient to prevent the Disorderly People of the other Prov. from coming into this: and pretending to lay out plats of Townships in his Maj^ties^ Province already Chartered by this Goverment to his Maj^ties^ Good Subjects, which may tend to overthrow the good order: and be Destructive to our Peace if not Speedily prevented by good wholsom Laws Made for that End I have from time to time ashurd that I shall Do Every Thing in My Power That may Contribute to the Service of this Province & as long as I'me continued in the Chair you may Depend on the Continúance of the Same: Province of New hampshire 9^r^: 14: 1727 J WENTWORTH

Copia The above Speech was withdrawn 9: 21,1727 and the underwritten was Sent Down

*Gen't* I shall not Detain you longer than the Publick affairs Require not haveing any thing of Great Concern to Communicate to you: I would put you in mind of Settling and adjusting all Publick accompts and to make Provision for the payment of any Debt that remains unpaide: I shall be ready (as I have been att all times) to promote the

Good of this Province & as this Possibly may be the last time that I Shall Sit at the head of this Government, I hope you will not be unmindfull to reward my faithfull Services which you are Wittnesses off Ever Since the administration of the Government has been in my hands.
Province of New Hampshire 9r 21st 1727. J WENTWORTH.

Copia.

[P. 97.] August the 31, 1727

In the house of Representatives

Ordered: That twelve bonds as here undered Entered be put into the hands of William Fellows for Safe Keeping: and that the Said William Fellows is hereby Impowered to receive the Principle and Interest Due from Time to Time on Said Bonds from the Severall psons therein bound: & endorse the rect of Such Principle & Interest on the Back of the Respective Bonds and such Principle & Interest as the Said Fellows Shall receive: he pay the same according to the order of the house of Representatives from Time to time

The Bonds are

| | |
|---|---|
| Theo: atkinsons: for | 200 Interest pd to the 25 apr—1729 |
| Henry Sherburn— | 110—Do |
| John Penhallow — | 200—Do |
| Livt Governor — | 200—Do |
| Benja Gambling | 100—Do |
| Capt Rd Wibird | 50—Do |
| James Jeffry | 40—Do |
| Coll Walton | 30—Do |
| Coll Geo Vaughan | 200—Interest Due from 15th June 1716 |
| Coll Richd Waldron | 200—paid to aprill 1729 |
| Geo Jaffrey | 200—Do |
| Capt Richard Gerrish | 200—Do |

1730

I Wm Fellows Do acknowlied to have recd the above bonds: and Do oblige my Self my heirs, exrs or admrs to be accomptable to ye Speaker of the house of Representatives for the Time being: to return the Sd Bonds & what I receive psuant to the above vote on the money Specified in the Bonds

the Words Wm Fellows was thrice interlined & Fellows once

W Fellows

[P. 98.] august 31: 1727 In the house of Representatives, Ordered, That the Meads Bond be put into the Treasurers hands to receive wt is Due thereon

James Jeffry Clr assm

December the 20th 1727 In the house of Representatives the Bonds Entred on the other Side were Brot into the assembly from mr Wm Fellows by a Comitte Sent for them and the Said Wm Fellows is hereby Discharged of his rect

James Jeffry Clr assm

Eodm Die. In the house of Representatives

Voted That the Same Bonds be put into the hands of mr Ephraim Dennit for Safe Keeping: and the Sd Ephraim Dennit hereby acknowleiges the rect of them

Ephr Dennit

[p. 99.] allowances Made att the Sessions begun the 13th November 1727

| | | | |
|---|---|---|---|
| No 1 to Richard Perry for work Don to the Carryges &c | | £20: | 5: |
| No 2: to John Robinson for loins for the gunns & fixing ye guns | | £11: | 19: |
| No 3: to Capt Pierce: for Drummers & Drum heads & his attendance at Proclamations pr order of ye Govr | | £— | — |
| voted that mr Pierces acct be Dismist | | | |
| No 7 allowed Timo Davis for the use of his Boat & Damage Don her to Eastwd at the Ratification in full | | £ 2: | 5: |
| No 10 allowed John Wentworth Junr Expended as Gunner in 1726 to apr 20th | | £ 5: | 8: 6 |
| No 16 allowed Benja Akerman himself & Cannoe Carrying the Comittee to let the wheels and Carryages out Jun 1727 | | | : 6: |
| No 8 allow Benja Rust for fire wood house Rent and Candles from 8r ye first 1726 to ye first of 8r 1727 | | | 16: — — |
| allowed Benja Rust for Expences to the 9th Jan 1727–28 | | | 6: 14: 4 |
| No 11 allowed mr Clemt Hughes for John Wiggans Excise for the yeare 1726 | 1: 4 | | |
| for Wardes Excise for ye yeare 1726 | 4: 17: 4 | | |
| for his Journey to york & Money Expended | 2: 10 | | |
| | | £ | 8: 11: 4 |
| allowed James Jeffrey, for his Service as Clerk of the assembly from ye 19th of 9r 1726 to the 9th of 9r 1727 | | £15: | — — |
| allowed Thos Harvey acct for Gundalou & an oar Broak | | | 15: 4 |
| Janr ye 10th 1727–8 all the above Sent up | | | 86: 19: 11 |

Eodm Die a messa pr Geo: Jaffrey an Sha Walton Esqrs that the above allowances was Concurr'd with—

Janr the 12th: allowed mr Gamblings accompt for Taking the Peoples oaths of alleidgince £4:

a messa yt ye above for mr Gambling was Concurrd

a vote Sent up for payment of 25s to John Griffith allowed £1: 5

may ye 20, 1727—

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[p. 100.] December 13th 1727

A Generall assembly Cal'd by Writ By order of the Livt Govr & Councill

The Representatives Return'd from the Severall Towns for this Province of New Hampshire to Serve in Generall assembly are

for Portsmouth—Benj[a] Gambling Esq[r]
Cap[t] George Walker
m[r] Ephraim Dennit
Dover—Paul Gerrish Esq[r]
Sam[ll] Tibbets
Hampton—Nathaniel Weare Esq[r]
Cap[t] Joshua Wingate
m[r] John Sanburn
Exeter—Samuell Thing Esq[r]
m[r] Bartholomew Thing
New Castle—Theo Atkinson
Richard Jennes
Kingstown—Ebenezer Stephens
Stretham—Andrew Wiggans Esq[r]
Newington—Cap[t] John Knight
Londonderry—James Mackeen Esq[r]

A Mess[a] was Sent up that there were Members Eno to Make a house

Eod[m] Die Geo Jaffrey & John Frost Esq[rs] with the Clerk of the Councill was Sent Down to adm[r] the Oaths appointed by act of Parliment, which was Don & Signed by all then psent and then a Message Came from the Board for the house to proceed to the Choice of a Speaker

and the house proceeded to Make Choice of a Speaker

Nathaniel Weare was Chosen Speaker by a Majority of Written votes.

[p. 101.] Eod[m] Die. In the house of Representatives

The Members of the house having taken the Oaths appointed by act of Parliment: Then proceeded to Choose their Speaker and accordingly Nathaniel Weare Esq[r] was Chosen Speaker.

Sent up. James Jeffry Cl[r] Ass[m]

Eod[m] Die. A Message Came Down with the Govornors Entry on the above y[t] was Sent up viz

I approve the above Choice J Wentworth

Eod[m] Die. A Mess[a] from the Board that it was his hon[rs] pleasure the attend him at the Board: and they went up according and the Govornor Made a Speech of which m[r] Speaker prayed a Coppy and then returnd.

Then the house Debated whether they Should have a Clerk of one of the Members: it past in the Negative and

then they proceeded to Chuse a Clerk: and James Jeffry was Chose for their Clerk: who accepted.

Eod^m Die. A Message from the Board with a Copy of the Govornors Speech which was Read and then the house adjourned to the 14^th Inst^ am.

[See Journal of assembly p. 261.]

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Thursday December the 14^th am

the house met according to adjournment all psent as Entered Cap^t Walker for Portsmouth and Cap^t Samuell Tibbets for Dover appeared: and a Message Sent up that they wanted to be Qualified by the Oaths appointed.

Eod^m Die. Sh^a Walton & John Frost Esq^r and the Clerk of y^e Councill was Sent Down to Quallifie S^d Members—which was Don and then they tooke theire places accordingly.

Eod^m Die. In the house of Representatives

James Mackeen Esq^r Return for a Representative not being authentic; one of the Selectmen of Londonderry being psent was called in and Declared m^r Mackeen was Legally Chosen and y^t the Returns not being Right was thro Ignorance; however the house accepted him and ordered that they Should Send a proper Return.

[P. 102.] The Rules of the house was Read: and Voted that they Should be the Rules of the present house and that the Clerk write them out and that they be hung up in the house During the Sessions.

Eod^m Die—The Late Clerk being Chosen by the house his Time to begin from the End of the Last year viz 9^r 19^th 1727 and was Sworn faithfully to pform the office of Clerk of this house and to Keep the Records thereof fairely Entered in y^e books: his Sallary not agreed: but left to the house to Satisfye as they think he Deserves when the yeare is up.

Then the house adjourned for two hours P. M.

Thursday X^r 14^th 1727 P. M. the house met according to adjournment all psent as Entred and then the Question being put whether there Should be a Bill Bro^t in for a Trieniall act for Choice of an assm It past in the affirmative Nemine Contradicente.

Eod^m Die. A Petition of the North part of Exeter by Meets & bounds as Set forth in a Town vote of Exeter to be

a precint by it Selfe for the Ministry and that they Shall be Excused paying to the Ministry of the old Parrish.

December the 14th 1727 In Councill voted that ye prayer of the Petition be granted and that the Petitioners have liberty to bring in a Bill accordingly and that the name of the parish be New Market. Richard Waldron Clr Con.

Eodm Die. In the house of Representatives
the above vote Read and Concurred & Sent up.
James Jeffry Clr assm

Eodm Die. In the house of Representatives
Voted—That Andrew Wiggans Esqr and mr Theo Atkinson be a Comittee of this house to Draw up an answer to the Livt Govr Speech.
and then the house adjourned to fryday Xr 15th am.

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[p. 103.] Fryday December the 15th 1727 am
The house met according to adjournment all psent as Entred for the Day.

Eodm Die. In the house of Representatives.

Whereas it is the universal and earnest Desire of his Majties good subjects within this Province to have a Trienniall choice of Assembly men: which is in itself most Reasonable & not only Consonant to the use and Custom of Great Brittaine but (in effect) a compliance with his late Majties Royall mind, who has in express words by Govr Shute's Comissn comanded that the Laws Statutes and ordinances of this Province be not repugnant to, but as neare as may be the Laws and Statutes of the Kingdom of Great Brittaine: whereby the Constitun and Statutes of the said Kingdom no Parliment can continue and be no longer than three years—Therefore

In the house of Representatives

Voted—That there be an act Drawn up that no assembly or Lower house of Representatives of this Province whatsoever shall have any continuance longer than for three years only at the farthest, to be accompted from the Day on which by writ they are appointed to meet: and that this assembly shall cease on the thirteenth day of December 1730: unless the Comander in Chief for the time being think fitt to Desolve it sooner: and that there be fifteen Dayes at Least between the Date of the writ for Electing them and the Day

of their being Chosen: and that the notifications stand up two Publick Dayes at least in all Towns precincts and parishes where any Representative is to be chosen—before the Day of Elect[n] unless it be upon Exterordinary Emergencies: voted *nemine contradicente.*

James Jeffry Cler Ass[m]

Sent up for concurrence

Eod[m] Die—In the house of Representatives,

The Bill for the Settling the North part of The Town of Exeter to be a parish by the Name of New Market was Read and past to be Engrost & Enacted & Sent up

James Jeffry Cl[r] ass[m]

Then the house adjourned for Two hours P. M.

[P. 104.] Fryday x[r] 15[th] 1727 P. M. the house met according to adjournment all psent as Entred for y[e] Day

a vote from the Board for an act to be Drawn up for the Strengthening & amending the act for Registring Births Burials &c which was Read and Nonconcurr'd.

Eod[m] Die In the house of Representatives

a vote was Drawn up for the Recording Marriages Births & Burials past

Then the house adjourned to Sathurday y[e] 16 am

---

Sathurday X[r] the Sixteenth am the house met according to adjournment all psent as Entred for the Day

the vote for an act Relating to marriages Births & Burials was Sent up and alsoe the answer to the Liv[t] Gov[rs] Speech

In the house of Representatives

There being Defect in the Return from Dover Relating to their Representatives Chosen

Ordered that the Clerk of this house write to the Selectmen of Dover to amend their Return w[ch] was Don as follo[s]

*Gen't* the Return you Sent Relating to the Choice of Representatives for your Town is not according to the Direction in the Law, you have Returned three Chosen But not that you have Notified them psons to appeare: and here is but one appears, Therefore by the order of the house that you Send next tuesday why those psons Chosen do not appeare to the house that the house may Know how to act

James Jeffry Cl[r] ass[m]

To the Selectmen of
the Town of Dover
X[r] y[e] 16 1727

Then the Liv$^{t}$ Governor adjourned the assembly to Tuesday the 19$^{th}$ 1727.

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[p. 105.] Tuesday x$^{r}$ y$^{e}$ 19$^{th}$ 1727

The house met according to adjournment all psent as Entred for the Day

M$^{r}$ Speaker Weare
Benjamin Gambling Esq$^{r}$
Cap$^{t}$ Geo Walker
m$^{r}$ Ea Dennit
Cap$^{t}$ Sam$^{ll}$ Tibbets
Cap$^{t}$ Joshua Wingate
M$^{r}$ John Sandburn
Samuell Thing Esq$^{r}$
M$^{r}$ Bar$^{t}$ Thing
M$^{r}$ Theo Atkinson
M$^{r}$ Richard Jennes
M$^{r}$ Ebenezer Stephens
Andrew Wiggans Esq$^{r}$
Cap$^{t}$ John Knight
James Mackeen Esq$^{r}$

Eod$^{m}$ Die: The house being met as above Entred

Voted, That Benj$^{a}$ Gambling & andrew Wiggans Esq$^{r}$ be a Comittee of this house to form an answer to the Mess$^{a}$ from the Board Relating to the Proviso in the Late act Sent home for a Trieniall assembly and present to the house Tomorrow

James Jeffry Cl$^{r}$ ass$^{m}$

Messrs Jennes & Sandburn was Sent up a Messa to the Treasurer to know the State of the Province accompts

Eod$^{m}$ Die m$^{r}$ Treasurer Came and gave in an Estimate

Whereas august the 31$^{st}$ 1727 By vote of the Gen$^{ll}$ assembly there were twelve Bonds for the vallue of 1730 lb Due from Sundry psons to the Province: put into Cap$^{t}$ W$^{m}$ Fellows hands for Safe keeping: In the house of Representatives

Voted: That m$^{r}$ Bar$^{t}$ Thing and Cap$^{t}$ Geo Walker & Cap$^{t}$ Wingate, goe to the S$^{d}$ W$^{m}$ Fellows in the Name of the house & Demand the bonds above Said & upon receipt of them to give y$^{e}$ Said Fellows a receipt which Shall be his Discharge from his rec$^{t}$ in y$^{e}$ ass$^{m}$ Books

X$^{r}$ y$^{e}$ 19$^{th}$ 1727

James Jeffry Cl$^{r}$ ass$^{m}$

Then the house adjourned to Wednesday y$^{e}$ 20$^{th}$ am

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[p. 106.] Wedness the 20$^{th}$ X$^{r}$ 1727 A M

The house met according to adjournment all psent as Entred for the Day

A Mess[a] from the Board pr Geo Jaffrey R Wibbird Esq[rs] with m[r] agent Newmans Letter Relating to the Trieniall act

The Comittes for answering the objections ag[t] the Trieniall act for an assembly, and Drawing up an act to Repeale those Clauses Relating to appealing to Gov[r] and Councill being on those affairs the house adjourned for two hours P M

Wednesday X[r] y[e] 20[th] 1727 P M the house met all psent as Entred

Eod[m] Die The answer to a verbal message from the Hon[ble] Board on Sathurday Last by Geo Jaffrey & J Frost Esq[rs] for the Mind of the house Relating to the Trieniall act for an assem was Read and voted Nemine Contradicente to be Sent up the answer is on file

Eod[m] Die. In the house of Representatives the Comittee that Went to Cap[t] William Fellows for the Bonds Bro[t] them all into the assembly and the Said W[m] Fellows is Discharged of his former rec[t] James Jeffrey Cle[r] ass[m]

Eod[m] Die. In the house of Representatives

Voted, That the Same bonds be put into the hands of m[r] Ephraim Dennit for Safe Keeping and the S[d] Dennit acknowledges the Receipt of them James Jeffry Cl[r] ass[m]

his Receipe for them is found four Leavs Backward

Then the house adjourned to Thursday 21 A M

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[P. 107.] Thursday X[r] 21 1727 A M

The house met according to adjournment all psent as Entred for the Day

X[r] the 21: 1727 a Mess[a] pr Geo Jaffrey John Frost & Sha Walton Esq[rs] that the vote for a Trienniall act was concurr'd with and Bro[t] it Down with this Entry

In Councill December y[e] 21[st] 1727

The above vote Read and the Sundry Messages Relating thereto haveing been Duly Considered: voted a Concurrence with the preceeding vote, and Geo Jaffrey Sha Walton & John Frost Esq[rs], on the part of the Board are appointed to prepare the Bill accordingly Passd Nemine Contrad.

Richard Waldron Cle[r] Con

Eod[m] Die. In the house of Representatives

Voted, That Benj[a] Gambling & andrew Wiggans Esq[rs]

& m^r^ Ephraim Dennit be a Comittee of the house to Joyn with the above Comittee to Draw Said Bill—

James Jeffrey Cl^r^ ass^m^

Sent pr m^r^ Tibbets & Sandburn

Eod^m^ Die In the house of Representatives

Voted, That m^r^ Bar^t^ Thing & m^r^ Samuell Tibbets be a Comittee to goe Down and view m^r^ Tim^o^ Davis's whale Boat and See what Damage was Don her and make rep^t^ to the house this afternoone James Jeffrey Cl^r^ ass^m^

and then the house adjourned for two hours P M

Thursday X^r^ 21^st^ P. M.

the house met according to adjournment all psent as Entred

Eod^m^ Die. In the house of Representatives

a vote passed for the Repealing the Riotuos act and Sent up

Eod^m^ Die M^r^ Clerk Waldron Bro^t^ Down the act w^th^ amendment for Registring Births Deaths Marriages & Christining which was Read and ordered to ly for Consideration

Then the House adjourned to Fryday 22^d^ A M

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[P. 108.] Fryday December y^e^ 22^d^ A M

the house met according to adjournment all psent as Entred for the Day

Eod^m^ Die, the amendment to the act for Births & Burials &c was Read the amendment was Nonconcurd—and the house adherd to their former voat to the first Bill

James Mackeen Esq^r^ the Representative for Londonderry Desires that in Consideration of the Infancy of theire Town tho they have the full Number of families to Make them Subject to the penalty of the Laws of this Province Relating to Gramer Schools

They Say the Charge of Gramer Schoole will maintain two other Schools for Reading and Writing which is much More beneficiall to them few or any of them being able to give theire children Gramer Learning : and humbly Desires this Gen^ll^ ass^m^ will be pleased to make an order that they May be Exempted from the penalty they may be Subject to for not Keeping a Gramer Schoole Since they keep four other in their Town

Eod$^{m}$ Die In the house of Representatives

Ordered, That Considering the infancy of the Said Town of Londonderry: Provided they keep two Schools for writing and Reading in S$^{d}$ Town, That they be Exempted from the Penalties in the Laws of this Province Relating to Gramer Schooles for one yeare Next Ensuing to Comence from their annual Meeting in March Next and all Courts that have authority in that affair are to take Notice of this order and Conform according to it

James Jeffry Cl$^{r}$ ass$^{m}$

the above vote Bro$^{t}$ and amended for two years & Sent up and Concurred in Both houses.

Eod$^{m}$ Die. In the house of Representatives

Voted—That Benjamin Gambling and m$^{r}$ Ep Dennit for Portsmouth Samuell Thing and m$^{r}$ Barth Thing for Exeter m$^{r}$ Speaker Weare & Cap$^{t}$ Wingate for hampton be a Comitte of this house to joyne with a Comittee of the upper house to goe to the Severall Trustees That are in Each of the Towns they are apppointed for; and Examine what Money is in the hands of Said Trustees for Exch$^{a}$ the old Cypher Bills and to Make Return to the assembly at their Next Sitting.

Eod$^{m}$ Die. A Mess$^{a}$ Came Down with a vote for Repealing y$^{e}$ Riotuos act that the house would Explaine what Inconveniences there was in it.

[P. 109.] Eod$^{m}$ Die—In the house of Representatives

Voted—That Benj$^{a}$ Gambling Esq$^{r}$ and m$^{r}$ Theo Atkinson goe up as Messengers to the Board to tell what the Inconveniences are that attend that act & they went up accord.

Then the house adjourned for two hours P. M.

Fryday X$^{r}$ 22$^{d}$ 1727 P. M. the house met according to adjournment all psent as Entered.

Eod$^{m}$ Die. In the house of Representatives

upon Reconsidering the vote of the Councill of the 21$^{st}$ Inst for amendment of the act Relating to Marriages Births &c voted that there be a Comittee of both houses to Draw up a New Bill & But Nothing Don upon it.

The house adjourned to Sathurday y$^{e}$ 23$^{d}$ am.

---

Sathurday December 23$^{d}$ am the house met accord to adjournment all psent as Entred The Bill for the Trienniall assembly wasRead and past with the amendment.

The vote Made at the Request of Justice Mackeene was

Sent up and a vote for Examining the Trustees for the Exchanging y^e^ Cypher Bills and what is in their hands with a vote for the Plates in Coll Plaisteds hands to be put into m^r^ Gamblings hands ; and m^r^ Gambling and m^r^ Dennet to Demand them But afterwards it was Known y^e^ Plates were in m^r^ Theo Atkinsons Keeping.

a Mess^a^ pr m^r^ Cler Waldron that the vote for the Comitte about the Money & Plates was Concur'd and that the Board voted the Same psons to Stand as a Comitte for them alsoe

Eod^m^ Die A Mess^a^ from the Board pr J Frost J Odiorn & Cle^r^ Waldron that the Trieniall Bill Lay for Consideration till Next Sitting and that his hon^r^ adjourned the assembly to tuesday Com sennit

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[P. 110.] Tuesday Jan^r^ 2^d^ 1727–8 The house met according to adjournment all psent as Entred for the Day

| | |
|---|---|
| M^r^ Speaker Weare | M^r^ Bart Thing Esq^r^ |
| Benjamin Gambling Esq^r^ | M^r^ Theo Atkinson |
| Cap^t^ Geo Walker | m^r^ Richard Jennes |
| m^r^ Ep Dennit | m^r^ Ebenezr Stephens |
| Cap^t^ Samuell Tibbets | andrew Wiggans Esq^r^ |
| Cap^t^ Joshua Wingate | Cap^t^ John Knight |
| m^r^ John Sanburn | James Mackeen Esq^r^ |
| Samuell Thing Esq^r^ | |

Eod^m^ Die In the house of Representatives

The amendment for the Trieniall act for the assembly was Read and voted to pass

Then the house adjourned to Wednesday y^e^ 3^d^ am

---

Wedness the 3^d^ Jan^r^ 1727–8 am the house met according to adjournment all psent as Entred for y^e^ Day the Trieniall act was Sent up

Eod^m^ Die A Mess^a^ pr Geo Jaffrey & J. Odiorn Esq^r^ y^t^ y^e^ vote was Concurd with, with the amendment of one Word more viz Enacted instead of Intended

Eod^m^ Die In the house of Representatives

a Vote past for the Prohibiting the Sup^r^ Court of Judicature to Grant appeals to the Gov^r^ & Councill was sent up

[P. 111.] A Message was Sent Down pr Geo Jaffrey Sha Walton & J Odiorn Esq^r^ that the above vote was noncon-

curr'd & then Read one paragraph in the Governors Instructions viz that (y^e^ Gov^r^) Do not Erect any Court of Judicature Nor Dissolve nor alter any Court already Errected with out our Speciall order.

Eod^m^ Die A Mess^a^ pr Geo Jaffrey & Sha Walton Esq^rs^, with the Riotous act that it was his hon^rs^ & the Boards opinion that the Clauses in Said act was not Grievious as was Represented: and that Considering how the Massachusets people Intrude upon us: that this act Might Still Continue in force untill Some other way be made as Tho^t^ Most proper

Then the house adjourned for two hours P. M.

Wednesday Jan 3^d^ P. M.

the house met according to adjournment all psent as Entred for the Day

The house adjournd to Jan^r^ 4^th^ 1727 am

---

Thursday Jan^r^ 4^th^ 1727 am the house met according to adjournment all psent as Entred for the Day

Eod^m^ Die In the house of Representatives

Whereas there has Sundry Inconveniences arisen within this Province Concerning the Tryals of Titles of Land; psons being at Exterordinary Charge: That When they have gon thrô the Inferior & Superior Courts The has been appeals to Govern^r^ & Councill by Which Reason Exterordinary Expense and Difficulties Do and may arise for Remedy Whereof

voted That in all Cases where Title of Land is in any ways Concernd actions Shall Comence first at the Inferior Court of Comon please: and in Case any one appeals from y^e^ Judgm^t^ or Sentence of Said Court to the Sup^r^ Court of Judicature that there shall be a finall Issue and end thereof: unless the Matter or Cause Exceed the True vallue of three hundred pounds Sterling that then any party may appeal to his Maj^tie^ In Councill: and that [P. 112.] noe appeale be otherwise granted Where Title of Land is Concerned any Law usage or Custome to the Contrary thereof in any wise Notwithstanding: and that an act be Drawn up accordingly

James Jeffrey Cl^r^ ass^m^

Sent up for Concurrence

Eod^m Die M^r Clem^t Hughes Came in and Declared that Severall persons had license to Sell not paying Excise

Eod^m Die A Mess^a pr George Jaffrey & J^th Odiorn Esq^rs in answer to the above vote that his hon^r Cannot Comply w^th it: his hon^rs Instructions being against it: and then the vote was Sent Down Nonconcurrd

Eod^m Die a vote Came Down from the Board for a Survey to be Taken of the Rivers and Winnipeshokee pond

But Nothing Don on it

Then the house adjournd to Fryday y^e 5^th Jan^r A. M.

---

Fryday Jan^r 5^th 1727 A. M. the house met according to adjournment all psent as Entred for the Day

Eod^m Die. In the house of Representatives

A Mess^a from the Board pr Geo Jaffrey & Sha Walton Esq^rs Relating to the Riotous act was Desired to be Considered on

It was put to the Question whether the house would Consent to Let y^e act Remaine in force or not it past in y^e Neg^a and then whether the house adher'd to their former vote for the Repealing it & it past in the affirmative: and a Mess^a was Sent up accord

Eod^m Die In the house of Representatives

Voted: That andrew Wiggins Esq^r & m^r Theo Atkinson be a Comittee of this house to Joyn with a Comittee of the upper house to examine the accompts Bro^t in this Sessions and make Rep^t to the assembly for approbation

James Jeffry Cl^r ass^m

Eod^m Die A Mess^a pr m^r Waldron y^t y^e above vote was Concurd w^th and that ar M'phedris & R Wibird Esq^rs was appoin^d at y^e Board

Then the house adjournd for two hours P. M.

Fry Jan^r 5^th 1727–8 P. M. the house met according to adjournment the Comittee went on the affaire of the accompts

Then the house adjourned to Sathurday y^e 6 A. M.

Sathurday Jan^r 6^th 1727-8 the house met according to adj^mt and an act Bro^t Down from the Board Relating to the assize of Shingles past on there and Read in the house and the Comittee for y^e accompts Made their *Reir?* Return.

Then the assembly By order of the Liv^t Gov^r was adjourned to Munday Jan^r y^e 8^th 1727-8.

[p. 113.] Munday Jan$^{r}$ the 8$^{th}$ 1727-8.

The house met according to adjournment all psent as Entered.

| | |
|---|---|
| M$^{r}$ Speaker Weare | Barth$^{l}$ Thing |
| Benj$^{a}$ Gamblin Esq$^{r}$ | m$^{r}$ Theo Atkinson |
| Cap$^{t}$ Geo Walker | m$^{r}$ Richard Jennes |
| M$^{r}$ Ep Dennit | Ebenezer Stevens |
| Cap$^{t}$ Sam$^{ll}$ Tibbets | Andrew Wiggans Esq$^{r}$ |
| Cap$^{t}$ Joshua Wingate | Cap$^{t}$ John Knight |
| m$^{r}$ John Sandburn | James Mackeen Esq$^{r}$ |
| Samuell Thing Esq$^{r}$ | |

The house proceeded on the Shingle act: and Desired the Clerk after adjournment to Draw up Said act.

Then the house adjourned to Tuesday Jan$^{r}$ 9$^{th}$ am.

---

Tuesday Jan$^{r}$ the 9$^{th}$ 1727-8 am the house met according to adjournment all psent as Entred for the Day.

The Clerk Bro$^{t}$ in the act Relating to Shingles: which was Read three times and past to be Engrost & Sent up.

Eod$^{m}$ Die.—A vote was Drawn up and past to have a jury at the Court of appeals before Gov$^{r}$ & Councill: and that Each of y$^{e}$ Councill take an Oath as Shall be prescribed: The vote on file was Sent up.

Eod$^{m}$ Die. The above vote Bro$^{t}$ Down Non concurd and a mess$^{a}$ That if some proper Oaths was Drawn up the Councill would Readyly take them.

A Mess$^{a}$ from the Board that the Shingle act was passd on at the Board.

Then the house adjournd to Wednesday y$^{e}$ 10$^{th}$ 1727-8.

---

Wednesday Jan$^{r}$ 10$^{th}$ 1727-8 A. M. The house met according to adjournment all psent as Entred for the Day.

[p. 114.] Jan$^{r}$ 10$^{th}$ 1727-8.

The vote for a Jury at the Court of appeals was Sent up againe with a Message to pray the Board to reconsider the vote.

Eod$^{m}$ Die. The Same vote Sent Down with Entry on it to ly for Consideration to the Next Sessions.

Eod$^{m}$ Die. The vote for Repealing the Riotuos act was Bro$^{t}$ Down Nonconcurrd.

In the house of Representatives.

Whereas the Court Some times Called a Court of appeals and Sometimes the Court of Chancery: assumes an arbitrary power without foundation or precedent: and whose proceedings are Neither by Juries Nor any Known Rules & Laws which renders the Estates of his Majties good Subjects within this Province most precarious and their Circumstances most Deplorable which has occasioned a Generall Cry for Reliefe under So heavey a Burthen & whereas his honr the Livt Governor has Signified to us upon application Made to the honble Board That his Instructions forbids the Disolving any Court already Erected & therefore that wee May Expect Noe remedy from him and whereas ye Province has been at a very Considerable & fruitless Expence for Setling the Province lines and for obtaining Stores of Warr, and the assembly frequently amused from time to time & yeare to yeare with hopes of Success & that a little Money at one time and a little Money at another time would accomplish the affaire yet Notwithstanding these plausible Intimations & the Raised Expectations of Some the Matter for ought any thing we Can See is as far from a happy and favorable Issue as when the attempt was first Made & whereas an additionall Number of Councillors from the Severall parts of the Province is what People in Generall & this house as theire Representatives Earnestly Desier being assured it Cannot faile to promote the happiness of the Province and where as Many other things beneficiall for the Goverment may be proposed and Considered and Where as the worthy Gent who was lately an agent for us his Comission is Terminated: Therefore voted That Some faithfull Gent of Suitable Capacity and ability from hence who has the Interest of the Province at heart and one on Whose Integrity and [p. 115.] uprightness wee May Depend be forthwith Comissionated and instructed to appeare at the Court of Great Brittaine & Memoriall to his Majtie the Grievances before mentioned & to Implore his Grace and favor in ordering the Disolving the Said Court or if that may not be then a New Regulation of It as in his Princely wisdom Shall Seem Right in Causing the lines to be Settled & ye Stores Granted, the Number of Councillors increased as affore Sd

Janr 10th 1727-8 James Jeffry Clr assm

Eodm Die. A Message from the Board pr Geo Jaffrey

& J Frost that his honr and the Board thot the vote highly reflected on the Board in Saying that the Court of appeals acted without Law or president and that the Same was a Scandalous lible.

In the house of Representatives,

Eodm Die Whereas this house has been unjustly Reflected upon and Taxed with Negligence in Not giving the Necessary Dispatches to the Publick Buesiness

Therefore that his Majties Subjects within this Province may be undeceived and such Reflection taken away Voted That the proceedings of this Sessions be forthwith printed at the Charge of the Government.

Sent up James Jeffry Clr assm

Eodm Die the above Returned nonconcur'd

Eodm Die In the house of Representatives

Voted, That James Jeffrey be paid out of the Publick Treasury the Sume of fifteen pounds as Clerk of the assembly from the 19th of November 1726: to the 19th of 9r 1727 in full

James Jeffry Clr assm

Then the house adjourned for two hours P M

Wednesday Janr 10 P M the house met according to adjournment all present as Entered

The Comittee of accompts Made their Returns which was voted accepted: and the Sundry allowances as Entered for the Day in the Begin'g of the Sessions Entrys

[P. 116.] January the 10th 1727–8

A vote Came Down this Day from the Councill (as on file) for the house to Retract their vote Sent this Day to the Board Relating to the Court of appeals

Then the house adjourned to thursday the 11 Inst am

---

Thursday Janr 11th 1727–8 am the house met according to adjournment all psent as Entered for the Day

Eodm Die. a vote sent up in answer to the above vote as on file—then the house adjourned for two hours P. M.

Thursday P M the house met according to adjournment all psent as Entered for the Day.

The house adjourned to fryday ye 12 am.

---

Fryday Janr the 12th 1727-8 am the house met according to adjournment all psent as Entred for the Day.

a vote to Repeal part of the Powder act Sent up: and a Mess[a] Sent Down pr m[r] Cl[r] Waldron with the Same vote Saying it was Read at the Board and Whereas the Kings Instructions Do Expresly forbid the Repeal of any acts which Grants any thing to the Kings use: and therefore Noncurrd.

Richard Waldron Cl[r] Con.

Then the house adjourned to Sathurday y[e] 13[th] am.

---

Sathurday Jan[r] the 13[th] 1727-8 the house met according to adjournment all psent as Entred for the Day.

The assembly was adjourned by order of the Liv[t] Gov[r] to the 23[d] Inst.

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[p. 117.] Tuesday January 23[d] 1727-8.

The house met according to adjournment all present as Entered for the Day.

| | |
|---|---|
| M[r] Speaker Weare | Sam[ll] Thing Esq[r] |
| Benj[a] Gambling Esq[r] | M[r] Bart Thing |
| Cap[t] Geo Walker | M[r] Theo: Atkinson |
| M[r] Ep Dennit | M[r] Richard Jennes |
| Cap[t] Paul Gerrish | M[r] Eben Stephens |
| Sam[ll] Tibbets | andrew Wiggans Esq[r] |
| Cap[t] Joshua Wingate | Cap[t] John Knight |
| M[r] John Sanburn | James Mackeen Esq[r] |

Paul Gerrish appeard and was Qualified for a Member & took his place

Then the house adjourned to Wednesday Jan[r] the 24th 1727–8 am.

---

Wednesday Jan[r] the 24[th] 1727 am the house met according to adjournment all psent as Entred for the day

A Mess[a] from the Board that his hon[r] & the Board was Ready for a Conference about the Dispute of the Court of appeals

The house went up and had a Conference and then Return'd: and then adjournd for two hours p m

Wednesday Jan[r] 24[th] 1727–8 p m the house met according to adjournment all psent as Entred for the Day

The house adjourn'd to thursday the 25[th]: am

Thursday Jan$^{r}$ the 25$^{th}$ 1727–8 am the met according to adjournment all psent as Entred for the Day

[P. 118.] In Council Jan$^{r}$ the 25$^{th}$ 1727–8

Whereas the arrival of his Excellencie Governor Burnet is dayley Expected at Boston &c

Voted, That a Comitte of both houses be appointed to attend on his hon$^{r}$ the Liv$^{t}$ Gov$^{r}$ to Boston to Congratulate his Excellencies arrival there in the Name of this Government &c and that the Said Comitte Make Suitable Provision for his Excellencies Reception when he Comes into this Province and that the Treasurer Defray the Charge thereof

Richard Waldron Cl$^{r}$ Con

Jn$^{r}$ the 26$^{th}$: in the house of Representatives Read & nonconcurr'd Jas Jeffry Cl$^{r}$ ass$^{m}$

Then the house adjourned for two hours P M

Thursday Jan$^{r}$ 25$^{th}$ 1727–8 P M the house met all psent as Entred for the day

Eod$^{m}$ Die In the house of Representatives

Voted, That there be Signed off the Sume of Seven C pounds by the Comitte that is appointed for Signing the Bills of Credit Last printed: and put into the Treasury for the payment of what Debts are Now allowed or Due from the Province: and that his hon$^{r}$ the Liv$^{t}$ Governor be Desired to Issue his warrants for payment of the same to those psons where it is Due James Jeffry Cl$^{r}$ ass$^{m}$

27$^{th}$ Die a mess$^{a}$ from the Board pr m$^{r}$ Cl$^{r}$ Waldron y$^{t}$ y$^{e}$ above vote was Concurrd

Then the house adjourned to Fryday am

---

Fryday Jan$^{r}$ 26$^{th}$ 1727-8 am the house met according to adjournment all psent as Entred for the Day.

Eod$^{m}$ Die In the house of Representatives

Voted—That two of the members of this house be a Committee to goe to Boston to Congratulate his [P. 119.] Excellencie Gov$^{r}$ Burnet as Soone as he Comes to Boston in the Name of this house and if the hon$^{ble}$ board Se Cause to Send two from the Board that the Charges of the Said four psons be paid out of the Publick Treasury.

Then the house adjourned P. M.

James Jeffry Cl$^{r}$ ass$^{m}$

Fryday Jan$^{r}$ 26 P. M. the house met according to adjournment all psent as Entred for the Day.

A Petition of the Inhabitants of Londonderry was Read & Ordered thereon that the Petitioners Serve the opposite parties with a Copy thereof: and that Each party attend on the Second Day of the Sitting of the Gen$^{l}$ assembly in the Spring Sessions to be heared on the pmises.

James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die. A Mess$^{a}$ pr m$^{r}$ Cl$^{r}$ Waldron y$^{t}$ y$^{e}$ above vote was concurr'd.

The New vote for Repealing the Riotous act (as on file) was Sent up.

In the house of Representatives

Voted: That Cap$^{t}$ George Walker & m$^{r}$ Ephraim Dennit be a Comittee of this house to Joyn with a Comittee of the upper house to Provide a house for the Entertainment of his Excellencie Gov$^{r}$ Burnet against his arrivall and that when he Shall give Notice (or it be Known) when he Intends to Come into this Province. That the Said Comittee Make Suitable Provision & Entertainment for his Reception here and that the Treasurer Supply Said Comittee with Money for the End above Saide.

James Jeffry Cl$^{r}$ ass$^{m}$

Jan$^{r}$ 27$^{th}$ a Mess$^{a}$ pr m$^{r}$ Cl$^{r}$ Waldron

that the above vote was Concurrd and R Wibird & H Sherburn Esq$^{rs}$ were appointed at the Board for that End.

the vote for y$^{e}$ Comittee to Waite on the Govorn$^{r}$ as above Came Down Noncurrd and another Sent Down which was Noncurrd in the house and voted that the house adherd to their former vote: and voted that m$^{r}$ Speaker Weare and Benj$^{a}$ Gambling Esq$^{r}$ be a Comittee from this house to Waite upon his Excellencie Gov$^{r}$ Burnet at Boston &

James Jeffry Cl$^{r}$ ass$^{m}$

the Bill for Repealing the Riotous act was Read three times and past to be Enacted & Sent up.

[P. 120.] In the house of Representatives

Voted—That Whereas there was 5384 lb Bills of Credit of this Province put into the hands of Sundry psons for y$^{e}$ Exchanging the old figured Bills of Credit on this Province and there being More than what is Sufficient to Exchange w$^{t}$ is out of S$^{d}$ old money voted That the psons in whose hands the Said Bills or any part thereof are be Directed to

Bring the Same into the Gen$^{ll}$ assembly on the third Day of the Spring Sessions in May with theire acc$^{t}$ of what they have Exchanged and that the Severall psons be served w$^{th}$ a Coppy of this vote.

James Jeffry Cl$^{r}$ ass$^{m}$

a Mess$^{a}$ from the Board pr m$^{r}$ Cl$^{r}$ Waldron y$^{t}$ y$^{e}$ above vote was concurr'd and that the Riotous act had the first Read$^{n}$ & Should have a Second tomorrow.

Then the house adjourn'd to Sathurday the 27$^{th}$ 1727-8.

---

Sathurday Jan$^{r}$ the 27$^{th}$ 1727-8 am the house met according to adjournment all psent as Entred for the day.

A Mess$^{a}$ Was Sent up that it is the mind of the house that m$^{r}$ agent Newman May proceed on y$^{e}$ former Instructions and with the Money he has got for the Setling the lines

[See Journal of General Assembly, p. 281.]

Then his hon$^{r}$ the Liv$^{t}$ Gov$^{r}$ prorogued the ass$^{m}$ to y$^{e}$ 2$^{d}$ Tuesday in May next.

Dissolved by Proclamation.

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[p. 121] Aprill 9$^{th}$ 1728.

The Liv$^{t}$ Govornor By his writ Called a Generall ass$^{m}$ which met this Day accordingly the members Returned are for

| | |
|---|---|
| Portsmouth | Cap$^{t}$ Joshua Pierce |
| | Cap$^{t}$ George Walker |
| | m$^{r}$ Eaphr Dennit |
| Dover | Paul Gerrish Esq$^{r}$ |
| | Cap$^{t}$ Sam$^{ll}$ Tibbets |
| | Cap$^{t}$ Francis Mathes |
| Hampton | Nathaniel Weare Esq$^{r}$ |
| | Cap$^{t}$ Joshua Wingate |
| | m$^{r}$ John Sandburn |
| Exeter | Sam$^{ll}$ Thing Esq$^{r}$ |
| | m$^{r}$ Bart Thing |
| New Castle | Theo atkinson |
| | m$^{r}$ Richard Jennes |
| Kingston | Ebenezer Stephens |
| Stretham | Andrew Wiggins Esq$^{r}$ |
| Newington | John Downing |
| Londonderry | Ja$^{s}$ Mackeen Esq$^{r}$ |

and being all met as Entered: Geo Jaffrey: J Odiorne & Henry Sherburne Esq$^{rs}$ were Sent Down with the Clerk of the Councill to adm$^{r}$ the Oaths: which the Members Took: and then they return'd and a Mess$^{a}$ Came Down for the house to proceed to the Choice of a Speaker: then the house proceeded to the Choice of a Speaker and Nathaniel Weare Esq$^{r}$ was Chosen Speaker by a Majority of votes—which was Sent up in Writing. James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die the Same Came Down underwrit

I Disallow of the above Choice: and Direct the house to proceed to another Choice J Wentworth

Eod$^{m}$ Die upon which Negativeing the Speaker the house Resolved on the following Mess$^{a}$ viz, That a Mess$^{a}$ go up from this house to his hon$^{r}$ in answer to his Negativeing the Speaker [p. 122.] Chosen by this house Setting forth that in as much as that Matter is Entirely New there Never haveing any president of that Nature in this Province and as this house would not be tho$^{t}$ to Endeavor any Infringm$^{t}$ on the Royall Prerogative: So they would be Careful of y$^{e}$ Privelege of the house in that affaire: Therefore to pray his hon$^{r}$ would be pleased to Inform the house whether the Gov$^{r}$ Comission or Instruct$^{s}$ particularly mention the power of Negativeing a Speaker of y$^{e}$ house: m$^{r}$ Theo Atkinson: Cap$^{t}$ Paul Gerrish m$^{r}$ John Sandburn & m$^{r}$ Ephraim Dennit went up with the above Mess$^{a}$

who returned for answer that the Govornors Comiss$^{a}$ was Shewn and a paragraph Read which the Gov$^{r}$ Supposed Implied Such authority therein

Eod$^{m}$ Die a Nother Mess$^{a}$ Sent up Desireing that paragraph in the Gov$^{r}$ Comiss$^{n}$ Relating to the Negativeing a Speaker Might be Read in the house

Eod$^{m}$ Die Geo Jaffrey Came Down and Read a Paragraph in the Comiss$^{n}$ viz. and Wee do by these presents for us our heirs and Successors &c That in framing and passing of all Such orders Laws Statutes & ordinances whatsoever to be passed in our Gen$^{l}$ ass$^{m}$ you the Said S S Shall have a Negative voice

Then the Liv$^{t}$ Gov$^{r}$ adjourned the assembly to Wednesday the 10$^{th}$ am

Wednesday aprill 10th am The house met according to adjournment all psent as Entred for the Day & mr Speaker Weare

A Written Messa Sent up & Returned againe

Then the house adjourned for two hours P. M.

The house met according to adjournment and then adjourned to thursday the 11th am

[P. 123.] Thursday aprill 11 1728 am

The house met according to adjournment all psent as Entred and mr Speaker Weare

In the house of Representatives

*May it please your hon'r*

With the Greatest Defference to your honrs Comissn & utter abhorence of Every thing that looks like the Least Infringmt on the Power therein Granted Wee humbly take leave to Remonstrate : that wee have Maturely Considered your honrs Disallowance of our Choice of a Speaker : and those Clauses in the Governors Comission which have been offered to Support the Same : and that the Negative voice to be Enjoyed by ye Comander in Chief : by virtue thereof Cannot in our humble oppinion by any Rational Construction Extend your honrs power : to the Negativeing Such orders & Rules of this house as only Concern the Settlement & Regulating thereof as in this Case for that the Negativeing Power Relates Wholly to Laws Statutes and Ordinances to be passed by the Govr Councill & assembly & no other : as Will most obviously appeare by Comparing one part of the Comission with the other : and besides wee have it from the famous Bishop Burnet in the history of his own times that it was a Settled Point in the house of Comons in the Dayes of King Chs the Second: that the house had an undoubted Right of Chuseing their Speaker : and that the presenting him to the King was only Matter of Course and not for approbation : which Settlemt we Cannot Learn has Ever been Questioned by any King or Queen of Great Britn Since : Wherefore upon the whole wee do humbly Insist upon and adhere to our Choice & Earnestly pray that we may have yr honrs favor in proceeding to the other business of the Sessions James Jeffry Clr assm

the above Sent up and returned againe wth a Messa that the Govr Could not alter wt was Don

the house adjourned for two hours P. M.

[P. 124.] the house met according to adjournment and was adjourned by the Livt Govr to fryday ye 12th am

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Fryday aprill 12th 1728 am the house met according to adjournment all psent as Entred & mr Speaker Weare

The house adjourned for two hours P. M.

Fryday P. M. the house met according to adjournment
A Mess[a] Came Down that the assembly was Prorogued to Sathurday aprill 13[th] 1728 am

---

Sathurday aprill the 13[th] 1728 am
The house met according to prorogation all psent as Entered and m[r] Speaker Weare
A Mess[a] pr the Clerk of the Councill
That the assembly Was prorogued to Wednesday the Next a three a Clock.

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[P. 125.] Wednesday aprill 17[th] 1728 the house met according to Prorogation all psent as Entred for the Day

| | |
|---|---|
| M[r] Speaker Weare | Samuel Thing Esq[r] |
| Cap[t] Joshua Pierce | m[r] Bar[t] Thing |
| Cap[t] Geo Walker | m[r] Theo Atkinson |
| m[r] Ep Dennit | m[r] Richard Jennes |
| Cap[t] Paul Gerrish | m[r] Eben[r] Stephens |
| Cap[t] Sam[ll] Tibbets | Andrew Wiggans Esq[r] |
| Cap[t] Francis Mathes | Cap[t] John Downing |
| Cap[t] Joshua Wingate | James Mackeen Esq[r] |
| m[r] John Sandburn | |

The Governor adjournd the assembly to thursday y[e] 18[th] am

Thursday aprill 18[th]: 1728 am the house met according to adjournment all psent as Entred for the Day and adjournd for two hours P M

Thursday aprill 18[th] P M the house met according to adjournm[t] all psent as Entred for the Day and then the following Resolve of the house was Drawn up

Whereas this house on the Ninth Instant met according to the Liv[t] Gov[r] Writ (as Comander in Chief) for the Calling a New assembly, Did Then proceed to the Choice of theire Speaker, Which was Nathaniel Weare Esq[r], Who upon presenting was Disallowed by his hon[r] the Liv[t] Gov[r] which this house Esteems an Infringm[t] of a Prevelidge they have always Injoyed—this house have [P. 126] Insisted and Still Do Insist upon it as their undoubted Right to Chuse theire Speaker & that the Confirmation thereof is only of Course: and after Severall adjournments and two Prorogations:

having met this Day: they unanimously Resolve they being Most of them of the Late assembly: Whereof the Said Nathaniel Weare Esq$^{r}$ was Speaker: that they must Justify him in the Proceedings of the Last assembly: & that he acted up rightly: both as to his Most Gratious Maj$^{tie}$, & for the good of his Country: and have Nothing to Tax him with or Lay to his Charge and think him Still a proper pson for theire Speaker

But the Said Nathaniell Weare Esq$^{r}$ for Sundry Considerations him thereunto Moveing: Desiers this house: That he May be Released from the Burthen of the Chaire that is Incumbent on a Speaker: and That they will proceed to the Choice of a New Speaker, Resolved in the house that this house thanks the Said Nathaniel Weare Esq$^{r}$ for his good Service in the house and then proceeded to the Choice of a New Speaker: and accordingly andrew Wiggans Esq$^{r}$ was Chosen Speaker

Which Choice was Sent up and approved off and then a Mess$^{a}$ Came Down pr m$^{r}$ Cl$^{r}$ Waldron that it was his hon$^{rs}$ pleasure that the house attend him at the Board the house went up accordingly and his hon$^{r}$ Made a Speech to them: of which m$^{r}$ Speaker prayd a Copy and then return'd

and Proceeded to the Choice of a Clerk and James Jeffry was Chosen Clerk of the house and Sworn as under

you James Jeffry are Chosen Clerk of this house you Do Sweare that you will Enter all votes and orders thereof and in all things Relating y$^{e}$ office you will act faithfully & Impartially

the Gov$^{r}$ Speech was Sent Down and read

[See Journal of Assembly, p. 286.]

[p. 127.] Aprill the 18$^{th}$ 1728

In the house of Representatives

Voted, That Nathaniel Weare Esq$^{r}$ & Cap$^{t}$ Joshua Pierce be a Comittee of this house to Draw up an answer to the Gov$^{rs}$ Speech & bring into the house for approbation

James Jeffry Cl$^{r}$ ass$^{m}$

Then the house adjourned to fryday 8 Clock am

Fryday aprill the 19$^{th}$ 1728 am the house met according to adjournment all psent as Entred for the day

Then the Rules of the house was Read being ten in the old and voted to be the Rules of this house

and Voted That Every Bill to be passed in this house be Read three times: and that there be two adjournments of this house before any Bill pass: and that Every Member Keep his place in the house and Not to Speak out of it

James Jeffry Clr Assm

Eodm Die.

In the house of Representatves

a Bill was Brot in and Read for the Calling a New assembly Every three years

and a Bill for the assize of Shingles was Read

Eodm Die In the house of Representatives

a Bill for Repealing the act that Prohibited Trade wth the Indians

Then the house adjourned for ½ an hour P M

May the 19th, 1728 P M the house met according to adjournmt

The affore Said acts: for the triennial assm the assize of Shingles and for Repealing the Prohibiting the Indian Trade & the Riotous act was Read the 2d Time

Eodm Die. In the house of Representatives

Voted mr Weare: atkinson & Pierce & Wiggans be a Comittee to Draw up Some Scheam for altering: or additionall Regulating the Court of appeals before the Governor & Councill & present it to the house for approbation

James Jeffry Clr assm

Then the house adjourned for two hours P M

[P. 128.] aprill the 19th 1728 P M

The house met according to adjournment all psent as Entred the affore Said three act was Read three times Each and Sent up and a Messa Came Down that they were all Concurr'd

Then the house adjournd to Sathurday ye 20th am

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Sathurday aprill the 20th am the house met according to adjournment all psent as Entred for the Day

Eodm Die In the house of Representatives

Voted, That Capt Geo Walker & mr Ea Dennit be a Comittee of this house to Joyn with a Comittee of the upper house to Provide for the Entertainment of his Excellencie Govr Burnet against his arrivall and that when he Shall give Notice (or it be known) when he Intends to Come into this Province yt the Said Comittee Make Suitable Provision &

Entertainment for his Reception here: and that the Treasurer Supply S$^{d}$ Comittee with money for that end

James Jeffry Cl$^{r}$ ass$^{m}$

a vote past for the Raising 30000 pounds as the 15000 was in the yeare 1719

Then his hon$^{r}$ adjournd the assembly to Wednesday Next

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Wednesday aprill 24$^{th}$ 1728 the house met according to adjournm$^{t}$ psent

| | |
|---|---|
| m$^{r}$ Speaker Wiggans | m$^{r}$ John Sanburn |
| Cap$^{t}$ J. Pierce | Sam$^{ll}$ Thing Esq |
| Cap$^{t}$ Geo Walker | m$^{r}$ Bar$^{t}$ Thing |
| m$^{r}$ E. Dennit | m$^{r}$ Theo Atkinson |
| Cap$^{t}$ P. Gerrish | m$^{r}$ Rich$^{d}$ Jennes |
| Sa Tibbets | m$^{r}$ Eben Stephens |
| Fra Mathes | Cap$^{t}$ J Downing |
| Natt Weare Esq$^{r}$ | James Mackeen Esq$^{r}$ |
| Cap$^{t}$ J Wingate | |

[p. 129.] The house adjournd to Proclaim the Liv$^{t}$ Governors New Comisssions

Wednesday p m—the house met according to adjournm$^{t}$ and adjournd to Thursday the 25$^{th}$ 1728 am

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Thursday the 25$^{th}$ 1728 am the house met according to adjournm$^{t}$ all psent as Entred for the Day

Eod$^{m}$ Die. a Mess$^{a}$ pr m$^{r}$ Geo Jaffrey with a letter from m$^{r}$ agent Newman and also the Liv$^{t}$ Gov$^{r}$ Comiss$^{n}$

Then the house adjournd for two hours p m

Thursday p m the house met according to adjournment the answer to the Gov$^{rs}$ Speech was Voted & Sent up

Then the house adjournd to fryday the 26: am

---

Fryday aprill 26$^{th}$ 1728 am the house met according to adjournment all psent as entered

a vote past for Suspension of that part of the Powder act Relating to Coasting Sloops Sent up & Concurr'd w$^{th}$

a vote Sent up for Revising the Laws

a vote: for the payment of 16 lb to Benj[a] Rust in stead of that y[t] was allowed him the 13[th] 9[r] 1727

Then the house adjourn'd for 2 hours P: M

Fryday P: M the house met according to adjournment

a vote Sent Down from the Board for Revising the Laws

Then the house adjourn'd to Sathurday y[e] 27[th]: A M

---

Sathurday aprill 27[th]: 1728 am the house met according to adjournment all psent as Entred for the Day

Eod[m] Die. In the house of Representatives

Voted That this house Desiers his hon[r] the Liv[t] Govornor to give his orders (according to the Vote of the assembly of apr 26[th]) to the receiver of the powder money: that he forbear to receive from any Sloops any powder money by Virtue of the act for payment thereof

James Jaffry Cl[r] ass[m]

the vote Emitting 3 M pounds Sent up: & In Councill Suspended to the next Sessions: and Concur'd in the house [P. 130.] Voted that there be Signed off the Sume of Six hundred pounds by the Comitte that is appointed for Signing the Bills of Credit Last printed & put into the Treasury for the payment of what Debts are now Due from the Province and what Els is and may be allowed by the Gen[ll] ass[m] Now: and his hon[r] be Desierd to Issue out his warrants accordingly James Jeffry Cl[r] ass[m]

A Mess[a] y[t] y[e] above was Concurr'd

Whereas his hon[r] the Liv[t] Gov[r] has had the whole Gov[r]m[t] Still Continued upon him as Comander in Chief

Voted, That he be presented and paid out of y[e] publick Treasury the Sume of one hundred pounds for halfe yeare in 1727 James Jeffry Cl[r] ass[m].

a vote Came Down from the Board for two or more members of Each house to go to Boston & noncur'd

In the house of Representatives

Voted, That m[r] Speaker Wiggans & m[r] Theo atkinson be a Comittee of this house to Joyn with as Many of the upper house to goe with his hon[r] the Liv[t] Gov[r] to Boston to Congratulate his Excellency Gov[r] Burnet in Behalf of this Goverm[t] upon his arrivall there: and that the Expenses be paid out of the Publick Treasury Ja[s] Jeffry Cl[r] ass[m]

a Mess$^{a}$ y$^{t}$ y$^{e}$ above was concur'd: and that his hon$^{r}$ Directed the house to attend him at the Board and then the three former Bills was Enacted

and Then the Governor Prorogued the assembly to the 14$^{th}$ of May Next

---

[P. 131.] Tuesday May 14$^{th}$ 1728

The house met according to Prorogation all psent as Entred for the Day

| | |
|---|---|
| m$^{r}$ Speaker Wiggans | m$^{r}$ John Sanburn |
| Cap$^{t}$ J Pierce | Sam$^{ll}$ Thing Esq$^{r}$ |
| Cap$^{t}$ Geo Walker | m$^{r}$ Bart Thing |
| m$^{r}$ Ep Dennit | Theo: atkinson Esq$^{r}$ |
| Cap$^{t}$ Paul Gerrish | m$^{r}$ Richard Jennes |
| Cap$^{t}$ Sam Tibbets | m$^{r}$ Eben Stephens |
| Cap$^{t}$ Francis Mathes | Cap$^{t}$ John Downing |
| Nathan$^{ll}$ Weare Esq$^{r}$ | James Mackeen Esq$^{r}$ |
| Cap$^{t}$ J. Wingate | |

The house adjourned for two hours P M

Tuesday P M: the house met according to adjournment

A Mess$^{a}$ from the Board pr m$^{r}$ Cl$^{r}$ Waldron that his hon$^{r}$ Required the house to attend him at the Board

and the house went up and the Governor made a Speech of which the Speaker pray'd a Copy and then Returned

Eod$^{m}$ Die. The Speech was Sent Down pr m$^{r}$ Sherburn & Read

[See Journal of Assembly, p. 295.]

Eod$^{m}$ Die. the list of the Towns for a New Proportion the house adjourned to Wednesday May 15$^{th}$ 1728.

---

Wednesday May the 15$^{th}$: 1728 am the house met according to adjournment all psent as Entred for the Day

Eod$^{m}$ Die In the house

Voted, That Cap$^{t}$ Joshua Wingate & Cap$^{t}$ Tibbets be a Comittee of this house to answer the Liv$^{t}$ Gov$^{r}$ Speech

Ja$^{s}$ Jeffry C ass$^{m}$

Then the house adjournd for two hours P. M.

[P. 132.] Wednesday May 15$^{th}$ 1728 P. M.

The house met according to adjournment all psent as Entred

Eod^m Die In the house of Representatives
Given an order on m^r Treasurer for payment of Seven Shillings for Carrying letters to Coll Weare & maj^r Gillman (£ — : 7 : —) pr order of the house
Then the house adjourn'd to Thursday the 16^th am

---

Thursday May the 16 am the house met according to adjournm^t all psent as Entred for the day
Eod^m Die. In the house of Representatives
according to the Desier of Geo Jaffrey Esq^r the house orders Cap^t George Walker & Cap^t Wingate to goe to m^r Jaffreys and tell over what money he has to be Burnt this Sessions & Bring the Same to the assembly

James Jeffry Cl^r ass^m

Eod^m Die In the house of Representatives
Ordered That those Gen^t That were the Signers of the five thousand three hundred Eighty foure pounds for Exchanging the old Cyph^d Bills Do Bring in their Receipts or accompts tomorrow of w^t they Delivered Each of the Trustees for the exchanging the S^d Bills that they may be accompted with James Jeffry Cl^r ass^m
Eod^m Die a Mess^a from the Board that the above voat was concur'd
Then the house adjourned for two hours P. M.
Eod^m Die There was Bro^t into the assembly of the old Cypher'd Bills and Burnt

| | |
|---|---|
| By Geo. Jaffrey Esq^r the Sume of | £155 : 3 : 6 |
| By Rich^d Wibird Esq^r Do | £ 75 : 18 : |
| | £231 : 1 : 6 |

Bro^t in pr Cap^t Wingate & Walker
Eod^m Die In the house of Representatives
Voted, That Samuell thing Esq Cap^t Joshua Pierce & m^r Theodore atkinson be a Comittee of this house to Joyn with a Comittee of the upper house to Examine the Treasurers accompts & any other accompts Now to be Bro^t in & make return to the ass^m, the above Concurd & ap^d above R Wibird & J Frost Esq^rs

J Jeffry Cl^r ass^m

Then the house adjourned to Fryday the 17^th am

[p. 133.] Fryday May 17th 1728 A M The house met according to adjournment all psent as Entred for the Day

Capt Joshua Pierce Brot in an acct, as one of the Signers of the 5384 lb for Exchanging the old Cypher'd Bills: of how Much was Delivered Each of the Trustees had viz

| | |
|---|---|
| Coll Mark Hunking | £897: 6: 8 |
| Coll Weare | £897: 6: 8 |
| Coll John Plaisted | £897: 6: 8 |
| Richard Wibird | £903: 4: 4 |
| Geo Jaffrey | £891: 9: |
| Majr Gillman | £897: 6: 8 |
| | £5384: 00: 0 |

The answer to the Livt Govrs Speech was Sent up Then the house adjourned for two hours p: m:

[See Journal of Assembly, p. 296.]

---

Fryday ye 17th May P M the house met according to adjournment: There was Brot into the assembly of the old Cypher'd Bills and Burnt from

| | |
|---|---|
| Coll Hunking | £31: 17: 6 |
| Coll Weare | £94: 16: |
| Majr Gillman | £40: 11: 6 |
| John Plaisted | £23: 08: |
| This is the Right entry & Discharged May 23d 1728 | 190: 13: |
| | 231: 1: 6 |
| | £421: 14: 6 |

a vote Sent up appointing a Comittee to receive the money of the Trustees But was Return'd

Then the house adjourn'd to Sathurday ye 18th May am

---

Sathurday May 18th 1728 am: The house met according to adjournment all psent as Entred for the day

Eodm Die In the house of Representatives

Voted, That mr Joshua Pierce & mr Ephraim Dennit be a Comittee of this house to Joyn with a Comittee of the upper house to Receive from the Severall Trustees for the Exchs the old Cypherd Bills the Severall Sums that remaine in their hands on the Second Thursday in July Next at the Court house in Portsmouth, and [p. 134.] the Said Trustees are hereby ordered to Bring in the Same att the day ap-

pointed in this Province money and in Case any of the said Trustees Neglect & refuse to Bring in Said Money accordingly That then the Sd Comittee are hereby authorized and Impowered by themselves or their Lawfull attorney, whome they are hereby alsoe Impowered to Authorize and Appoint: to Demand Levy Require & Recover by Due Course of Law the Severall Sums Due from Each of the Said Trustees for the use of the Province and when So recovered & received to Keep the Same Safely and bring it into the Genll assembly at their Next Sitting after Such recovery or Receipt

James Jeffry Clr assm

the above vote Brot Down with a Message that three Trustees of the Councill are Ready to accompt & pay presently

Londonder Petition an order on it to appear next Sent up Then the Livt Govr adjourned to Wednesday next at 10 a Clock

---

Wednesday May the 22d 1728: The house met according to adjournt psent

| | |
|---|---|
| Mr Speaker Wigans | Mr John Sandburn |
| Capt Jo Pierce | Samll Thing Esqr |
| Geo Walker | mr Bart Thing |
| mr Ea Dennit | Theo Atkinson |
| Capt Paul Gerrish | Richd Jennes |
| Saml Tibbets | Eben Steph |
| Francis Mathes | Capt John Downing |
| Natt Weare Esqr | James Mackeen Esqr |
| Capt Joshua Wingate | |

Then the house adjourned to Thursday May 23d 1728 am

---

[P. 135.] Thursday May the 23d 1728 am the house met according to adjournment all psent as Entred for the Day

In the house of Representatives

upon Complaint of Mr Sherif Atkinson that the Prison of this Province want Sum Repairs, Especially in the Iron Barrs & Windows therefor Voted That Capt Joshua Wingate and mr Eaphraim Dennit be a Comitte of this house to Joyne with a Comittee of the upper house to view the Same and any other Defects that may be found wanting to be

repair'd & to make return thereof in order to its being repaired Jas Jeffry Clr assm

Eodm Die. A Messa from the Board that the above vote was Concurd and that Coll Walton & Col Hunking was appointed at the Board to Joyn with the above Com for that End a voat on file for Emitting 3000lb Loan Money. There was alowed mrs Eliza Cross £16 ; 17 : 8 for Proclaiming the King.

Then the house adjourned for two hours P M

Thursday May 23d 1728 P M The house met according to adjournment all psent as in the Morning.

Eodm Die In the house of Representatives

There was Brot into the assembly this Sessions and Burnt of the old Cypherd Bills the Sume of £421 : 14 : 6 By the psons as Entred before.

Eodm Die—Voted that the Trustees be hereby Discharged of the Severall Sums Brot in By them which vote was Sent up & Concurred.

Eodm Die In the house of Representatives

Voted—That Capt Joshua Wingate mr Ea Dennit & mr Barth Thing be a Comittee of this house to Joyne with a Comittee of the upper house to go to mr Treasurer Jaffry to morrow Morning and tell over the Tax Money in his hands and receive ye Same & Bring it into the Genll assembly to be Burnt & ye Receipt of the Said Comittee Shall be Said Treasurers Discharge for what they recd joynd above R W Hen Sherburn & J Odiorn.

James Jaffry Clr assm

The house adjourned to Fryday May 24 am

---

[P. 136.] Fryday May 24th 1728 am.

The house met according to adjournment all psent as Entred for the Day

the house adjourned for 2 hours P M

Fryady May 24 P M the house met according to adjournt

Whereas the Sundry Towns in the Province that Brot in their accompts of Land have vallued their Some at one vallue and Some at another Rate Verry un Equally Therefore Voted That for making a more Equall Proportion That the lands

and meadows in each Town be vallued pr acre as here under viz

| | | | |
|---|---|---|---|
| Dover, Exeter, Hampton, Stretham, Greenland | at 6*s* pr acre | Rye, Newcastle, Portsmouth | 6*s* pr acre |
| | | Londonderry & Kingston @ | 5*s* pr acre |

Sent up and Concurred

upon Motion of m^r^ Akerman for Sum further Consideration for his attendance for the yeare 1727 Ending aprill 1728

In the house of Representatives

Voted—That there be allowed and paid out of the Publick Treasury the Sume of three pounds for his Exterordinary attendance for the yeare 1727 Ending as above

James Jeffry Cl^r^ ass^m^

The Londonderry Petition was Read and a vote on it that y^e^ Peoples agreement according to the vote of Councill Sent Dowu to be allowed

Then the house adjourned to Sathurday the 25^th^

---

Sathurday May 25^th^ 1728 am

The house met according to adjournment all psent as Entred for the Day

Voted that all Negroe Indian and Mulatto Slaves be vallued at 20lb pr head. J Jeffrey Cl^r^ ass^m^

[P. 137.] The 24^th^ 1728 There was Bro^t^ into the assembly for the Tax for the yeare 1727 by the Comittee that went to tell over the Same and receive it from the Treasurer the Sume of Nine hundred Ninety pounds and Burnt in the assembly onely one hundred pounds thereof that was New Money was put againe in the Treasurys hands to Exchange for Broken Bills and then them to be burnt for which the Treasurer gave his receipt to do May the 25^th^: 1728

Wee whose Names are hereunto Subscribed being appointed a Comittee to View the Defects of the Prison & to make Return thereof to the assembly: accordingly wee have viewed the Prison & Do Report That it is Necessary to have the Windows in the Chambers Secured with Iron Barrs as the Windows in the Lower Rooms are & likewise to have foure good Substantial padlocks purchased alsoe to have the other locks Mended & New Keys made if worth Mending which when taken off May be Seen & if not worth fitting up then to have New ones purchased and alsoe to have those places where attempts to Cutt Thro the wood have been made: mended & Secured with Iron Plates

Mark Hunking Sha Walton
Joshua Wingate Ea Denet

32

Eod$^{m}$ Die In the house of Representatives

Voted that the above return be accepted & That the Sherrif be forthwith Directed to get the above Mentioned pticulars don and That the Province pay for the Same

J Jeffry Cl$^{r}$ ass$^{m}$.

Sent up Eod$^{m}$ Die a Mess$^{a}$ from the Board that the above vote was Concurred

Eod$^{m}$ Die In the house voted: That there be a Man of this Prov Sent to y$^{e}$ Court of Great Brittain or Some agent Impowered to Petition his Maj$^{tie}$ y$^{t}$ wee May be annexed to y$^{e}$ Government of y$^{e}$ Mass$^{a}$ & that y$^{e}$ Government of y$^{e}$ Mass$^{a}$ be advised hereof & Desired to Joyn with this Government & to give their agent at home Instructions to forward the Same

J Jeffry Cl$^{r}$ ass$^{m}$

Sent up

[p. 138.] Eod$^{m}$ Die In the house of Representatives

Voted, That the Treasurers Receipt that he gave for the hundred pounds for Exchanging Broken Bills and the receipt the Comittee gave for the Tax money be put into m$^{r}$ Ephra Dennits hands for Safe Keeping

J Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die In the house of Representatives

Voted, That m$^{r}$ Bar$^{t}$ Thing Cap$^{t}$ Paul Gerrish Cap$^{t}$ Joshua Pierce m$^{r}$ Theo Atkinson & Natt Weare Esq$^{re}$ be a Comitte of this house to Joyn with a Comittee of the upper house to cast up and perfect the Proportion of the Severall Towns according to the Late act and the votes of the house Now Made and Sent up concerning the Same

J Jeffry Cl$^{r}$ ass$^{m}$

a Petition of Benj$^{a}$ Lampre Jun$^{r}$ Chri$^{r}$ Palmer & Stephen Batchelor was preferr'd By Cap$^{t}$ Wingate Signed all by one hand and no Petitioners appeared was Read & Dismist for that Reason

a Mess$^{a}$ from the Board that R Wibird Jo Odiorn Sh$^{a}$ Walton Henry Sherburne & Geo Jaffreys Esq$^{rs}$ was appointed a Comittee to Joyn with the above Comittee for Proportioning the Towns according to the above Votes

Then the Govornor adjourned the assembly to Wednesday Next

[p. 139.] Wednesday May the 29th 1728 The house met according to adjournment all psent as Entred for the Day

| | |
|---|---|
| Mr Speaker Wigans | Mr John Sanburn |
| Capt Joshua Pierce | Sam Thing Esqr |
| Geo Walker | mr Bart Thing |
| mr Ea Dennit | Theo Atkinson Esqr |
| Capt Paul Gerrish | Mr Richd Jennes |
| Saml Tibbets | Eb Stephens |
| Fra Mathes | Capt John Downing |
| Nathal Weare Esqr | James Mackeen Esqr |
| Capt Joshua Wingate | |

The house adjourned for two hours p m

Wednesday May 29th: 1728 p m The house met according to adjournment all as Entred for the Day and adjourned to Thursday the 30 am

---

Thursday May the 30: am the house met according to adjournment all psent as Entred for the Day

Eodm Die In the house of Representatives,

Whereas the act for the Select Men of Each Town Parish and District of this Province to bring in a list of the Poles and Inventory of the Estates belonging to their Respective Towns & Districts: and Now there having arisen Many Disputes concerning the vallue of the Poles and the prizes of Estates Should be Set at: & for the Better Clearing up of that Difference & That Justice May be Don

[p. 140.] Voted, That all poles be vallued at twenty five pounds Each Pole all Tillage Meadow & Marsh land at Six Shillings pr acre throughout the Province Except Kingstown & Londonderry which Shall be vallued at five Shillings per acre: all oxen at three pounds Each ox or Cows two pounds pr Cow: horses at three pounds Each, Swine at ten Shillings Negro Indian & Mulatoe Slaves at twenty pounds Each: the women Slaves to be Excluded: houses at one pound five Shillings Each: and the Vallue of ye Trades of Portsmouth a thousand pounds Dover 200 lb, Exeter 200 lb hampton falls 40 lb New castle Stretham Newington 25 Each Hampton 50 Kingstown 20 Derry 5 and that this Proportion Shall Stand but for three years and then a New Proportion to be Made & That there be a Comittee appointed to Draw up an

act for a Rule for the Select Men to Make their Rates by and that Londonderry Land be accompted foure hundred acres: and that Ryes part be ten pounds & New Castle Island fifteen pounds to make New Castle 25 lb

J Jeffry Clr assm

| | |
|---|---|
| Trade Portsmouth | £1000 |
| Dover | £ 200 |
| Exeter | £ 200 |
| Hampton | £ 50 |
| Falls | £ 50 |
| New Castle | £ 25 |
| Stretham | £ 25 |
| Newington | £ 25 |
| Kingstown | £ 20 |
| Londonderry | £ 5 |
| | £1600 |

In Councill May 31–1728 Read and concurd wth the following addition Namely yt ye Proportion of the Severall Towns be Established according to the above Scheam for the present yeare and No longer Richd Waldron Clr Con

June 1 1728 In the house of Representatives voted the above Return be accepted and that an act [p. 141] be Drawn up accordingly

Thursday May the 30th 1728 p m:

| | |
|---|---|
| mr Benja Gambling allowance as Sherif for the yeare 1727 | £15:—: |
| and for Return of Jurors for one yeare & halfe | £ 9:12 |
| allowed | £24:12 |

allowed mr Richard Waldron as Clerk of the Councill for the yeare 1727 the Sume of Seventy five pounds in full to be paid out of the Publick Treasury £75

James Jeffry Clr assm

Then the house adjourned to Fryday the 31 am

Fryday the 31 am The house met according to adjournmt all psent as Entred for the Day

| | |
|---|---|
| allowed John Plaisted in full as a Comitte Man for Letting out the Carriages for the fort 20s | £1: |
| allowed Benja akerman for his Service for the yeare 1727 the Sume of Ten pounds | £10:—: |
| more allowed for his Exterordinary attendance | £3:—: |

more 6*s* for going to Newcastle with the Comitte 13 — 6
allowed John New Marsh for repar ye fort Boat May 20th 1728

The vote for Proportioning the Towns Came Down from the Board Concur'd: and to Stand for one yeare & no longer: the Same Messa that the above allowance was Concur'd above

Then the house adjourn'd for two hours P M

Fryday May the 31: P M The house met according to adjournment all psent as Entred for the Day

Eodm Die: In the house of Representatives

Whereas Benja Lampree Christopher Palmer & Stephen Batchelor: Three men that there is Some Dispute about Between Hampton Town & the Town of Rye: where they Shall be Rated for Ending Sd Dispute: Voted, That the Said three Men be Rated at Rye James Jeffry Clr assm

Capt Wingate & John Sandburn Enters their Dissent agt the above vote Eodm Die In the house of Repre

Voted That the Town of Gosper pay this yeare 1728, the Sume of Sixteen pounds for their Province Tax for every thousand pounds Raised in the Province: and So in Proportion in a Greatr or lessor Sume: Concurrd above

J Jeffry Clr assm

Then the house adjourned to Sathurday June the first am 1728

---

[P. 142.] Sathurday June the first am 1728

The house met according to adjournment all psent as Entred for the Day and Voted that the Post Master at Boston be allowed and paid out of the Publick Treasury for forwarding Publick Letters £3: —: —

Eodm Die

Allowed Eleazer Russell for his accompt to the 30th of May 1728 £6: 15: 6

allowed Timo Davis as a farther Satisfaction for his whale Boat to Casco £1:

allowed John Frost Esq for Repaireing the flagg & £6:

allowed John New Marsh for Mending the Fort Boat & Iron Work £5: 14: 3

a vote Brot in pr Capt Henry Sherburns Supplying Holland Shirts to two Indians by the Govr order which was Disal-

lowed in the house & Sent up and Bro$^{t}$ Down againe & the house adher'd to their former vote & Sent up againe

a Mess$^{a}$ that the votes above for allowances was concurd The Bonds for the 1730 lb was put into m$^{r}$ Ea Dennits hands for Safe Keeping

The act for Proportioning the Towns Read Three times & past to be Enacted

J Jeffry Cl$^{r}$ ass$^{m}$

Sent up and Concur'd

Eod$^{m}$ Die. In the house of Rep$^{r}$sen

Voted That the Treasurers accompts be accepted & allowed all Excepted the Expences in Proclaiming the Liv$^{t}$ Gov$^{rs}$ Comiss$^{n}$ & Proclaiming the Peace with the Indians

Concurd above J Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die. In the house Representatives

Voted, That there be Signed off and put into the Treasury the Sume of three hundred pounds for the payment of the Sundry Debts & Charges of the Province that is & may be allowed by the Gen$^{ll}$ ass$^{m}$ J. Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die In the house of Rep$^{r}$

Whereas his hon$^{r}$ the Liv$^{t}$ Gov$^{r}$ hath Still the Goverm$^{t}$ as Comander in Chief Still Continued upon him Voted That he be presented and paid out of the Excise the Sume of one hundred pounds and that he is Desierd to Issue out Warrants for the payment of the allowances New Made

James Jeffry Cl ass$^{m}$

[P. 143.] June the 1$^{st}$ 1728 am

a vote came from the Board for Raising 5 M pounds after the Scheam Laid this Sessions Read & non concurd & voted that there 15 M lb made & Emitted on the Same Scheam

Eod$^{m}$ Die. In the house voted that the Representative for Londonderry be allowed & paid out of the Treasury two Dayes for Coming & two for Returning from the ass$^{m}$

A Mess$^{a}$ from the Board pr J Odiorn Esq$^{r}$ That his hon$^{r}$ Desierd the house Come up to the Board, and they accordingly went up and after passing the act for the New Proportioning the Town the Gov$^{r}$ Prorogued the assembly to the 2$^{d}$ Tuesday in 9$^{r}$ Next

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2$^{d}$ Tuesday in November 1728 appeared

M$^{r}$ Speaker Wiggans

m$^{r}$ Rich$^{d}$ Jennes

## LIST OF TAX PAYERS IN NEW CASTLE IN THE YEAR 1728.

[*Furnished by Rev. Lucius Alden of New Castle.*]

Abbott Samuel
Amazeen Christopher
Ashley John
Atkinson Theodore

Batson John
Bell Benjamin
Bell Meshech
Bell Thomas
Bowdrey Edward
Branscome William

Card John
Card John 2d
Carder Samuel
Chadwick James
Chadwick James 2d
Clark Benjamin
Clark John
Clerk Samuel
Clerk Widow
Crasey Widow
Cradwick John
Crusey John

Daine Henry

Edgecome John
Ellice Widow
Elword Thomas

Foss Zacheus
Fowel Rickard
Frederick Christopher
Frost Carter
Frost John
Frost Samuel
Frost William

Granden Clement
Grenough Daniel

Harvey Peter
Hickey Samuel
Hubbard John

Jackson Joseph
Jackson Thomas
Jolly Luke
Jones Daniel
Jones Jeremiah
Jones Thomas
Jones William
Jordan Richard

Kelly William

Leach Elijah
Langdon William
Langmaid Henry
Langmaid Joseph
Langmaid Samuel
Lear John
Lear Tobias
Lear Tobias 2d
Leigh Thomas
Long Pierse
Lovell Elijah

Mace Andrew
Mace Reuben
Mace Reuben 2d
Maker William
Mannery Thomas
Marden Steven
Marden William
Marten John
Marten Edward
Marshal Henry
Mattleberry Enoch
Matthews Francis
Matthews Peter
Matthews Samuel
Mitchel David
Morphey John

Neale Richard

Odiorne John
Odiorne John 2d
Odiorne Jotham

Parker Benjamin
Parker Thomas
Perole William
Perry Richard
Philpot James
Pryer John

Randell Edward
Randell James
Reed Hugh
Reed Phillip

Salter John
Scadgell Christopher
Seigniore George
Shannon Morris
Sheafe Sampson
Shaw John O
Sherburne John
Sherriff Abraham
Simpson Joseph
Showell Henry
Skinner John
Spalding James
Stevens Thomas
Stilson James
Sparling James

Tarlton Richard
Towell Richard
Tredwell Charles
Treferine Henry
Treferine Henry 2d
Treferine James
Treferine Foster
Tuckerman John

Underwood Thadeus

Vennard John

Walford Jeremiah
Walton Shadrack
Welch George
White Joshua
White Nathan
White Nathan 2d
Williams Daniel
Williams Lazarus
Wilson John
Wilson William
Winter Thomas

Yeaton Benjamin
Yeaton John
Yeaton Joseph
Yeaton Richard

Hugh Reed
Joseph Jackson } Select-men
Dan Grenough

Anno Domini 1728

ADMINISTRATION

OF

# GOVERNOR WILLIAM BURNET.

## 1729.

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## Journal of the House from April 22d, 1729, to August 1, 1730.

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NOTE BY THE EDITOR.

The "Journal of the House of Representatives," during the administration of Gov. BURNET, and until the arrival of Gov. JONATHAN BELCHER, is found in a bound MS volume, labeled "Journal of the House, 1724–1743." The portion of said Journal here included, is contained between MS pages 143–174. The Governor's Speeches referred to will be found in the "Journal of the General Assembly," during the same period — in this printed volume. Pages in the margin correspond with the paging in the manuscript Journal.

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[P. 143.] Tuesday aprill 22d 1729. The house met according to proclama

By his Excellency Wm BURNET Esqr (1) Dated the 4th 9r 1728, a copy whereof is on file Psent

(1) Governor WILLIAM BURNET was the oldest son of the celebrated Rev. Gilbert Burnet, Bishop of Sarum, Eng. He was born in 1688, and was named after William, the Prince of Orange, who stood his godfather. Previously to his coming to this country, he possessed a considerable fortune; but it had been wrecked in the South sea scheme or "bubble," which reduced many opulent families to indigence. In 1720 he was appointed Governor of New-York and New-Jersey, which office he held till 1728. Receiving the appointment of Governor of Massachusetts and New-Hampshire, he reached Boston, July 13, 1728, and New-Hampshire, April —, 1729. His administration in both Provinces was attended with many difficulties, arising chiefly from his insisting on a fixed salary. Dr. Belknap says, "Mr. Burnet was a man of good understanding and polite literature; fond of books and of the conversation of literary men; but an enemy to ostentation and parade." He died suddenly, at Cambridge, Ms., Sept. 7, 1729. ED.

| | |
|---|---|
| Mr Speaker Wiggans | Capt Joshua Wingate |
| Capt Joshua Pierce | Mr John Sandburn |
| George Walker | Samuell Thing Esq |
| Mr Ea Dennit | Mr Bar$^{t}$ Thing |
| Capt Paull Gerrish | Theo Atkinson Esq |
| Sam Tibbets | Mr Richard Jennes |
| Francis Mathes | Mr. Eben Stephens |
| Natt Weare·Esqr | Capt John Downing |
| | James Mackeen Esq |

A Quorum of the house being met:

ordered that two of the members waite upon his Excellency the Govornor with a message to acquaint him that a Quorum of the house are now met and Ready to proceed to Buesness of the Sessions who returned they had Delivered the message

[P. 144.] April the 22$^{d}$ 1729.

A mess$^{a}$ from his Excellency the Govornor by Mr Clerk Waldron, viz, Mr Speaker his Excellencie Directs the hon$^{ble}$ house to attend him in the Councill Chamber

Mr Speaker and the house went up accordingly, and his Excellencie made a Speech to the Court, of which Mr Speaker obtained a Coppy, and then with the house Returned.

Eod$^{m}$ Die. in the house of Representatives

The Govornors speech was Read: and then the house adjourned to Wednesday the 23$^{d}$ Inst. am.

[See Journal of General Assembly.]

---

Wednesday Aprill 23 am. 1729. The house met according to adjournment psent as Entred for the day

In the house

Voted, That Samuel Thing, Nathaniell Weare Esq. & M$^{r}$ Joshua Pierce be a comittee to answer the Govornors speech

Eod$^{m}$ Die. A message from the Board By Geo: Jaffrey and Henry Sherburn Esqrs with the Govornors Instruction mentioned in his speech: a copy of which is Entred in the accompt Book

Then the house adjourned for two hours P. M.

Wednesday Aprill 23$^{d}$, 1723. P. M.

The house met according to adjournment. Psent as Entred—

Eod$^{m}$ Die. In the house &c.
A vote past for Reviving the Excise.
Then the house adjourned to Thursday the 24$^{th}$ a. m.

---

Thursday Aprill 24$^{th}$ 1729, a. m.
The house met according to adjournment all psent as entred for the Day
Eod$^{m}$ Die. In the house &c.
Voted—That Nathaniel Weare, Theo. Atkinson Esqs & Mr Bar$^{t}$ Thing be a Comittee of this house to Joyn with a comittee of the upper house to Examine the Treasurers accompts and any other that may be Bro$^{t}$ in for allowances, and make their Report to the Gen$^{ll}$ assembly for approbation James Jeffry C. ass.
A mess$^{a}$ y$^{t}$ R Wibird, H Sherburn, & Jo Odiorne Esqrs were apointed above.
Then the house adjourned to Fryday y$^{e}$ 25$^{th}$ a. m.

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[p. 145.] Fryday the 25$^{th}$ 1729. a. m. The house met according to adjournment all psent as Entred for the day.
Eod$^{m}$ Die. In the house &c.
A Petition of the Inhabitants of the north East end of Dover was Read: Wherein they pray to be set off a p'ish for the Bennefit of the ministry by meets and Bounds as in the Petition
Then the house adjourn$^{d}$ for 2 hours p. m.
Fryday Aprill 25$^{th}$ 1729. p. m. The house met according to adjournment all present as Entred
Eod$^{m}$ Die. In the house &c
A vote past for Prolonging the 15000 lb.
And then his Excellencie at the Request of the house adjourned the assembly to Tuesday Aprill 29$^{th}$ 1729.

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Tuesday Aprill 29, 1729. The house met according to adjournment. All psent as Entred.

[p. 146.] Allowances made att Aprill Sessions 1729.

| | |
|---|---|
| N$^{o}$ 1. To John Robinson for Fort W$^{m}$ & Mary in full. his whole sume 99 : 1 : 6 | £56 : 3 : 6 |
| N$^{o}$ 2. Thomas Packer for fire Candles & Wood | £5 : 6 |
| & to be Deducted from the agreem$^{t}$ for house Rent &c. | £5 : 0 : 6 |

| | | |
|---|---|---|
| N° 3. | John Sherburn for work Don at Fort W^m & Mary | £27: : |
| N° 4. | John Trundy for Dieting Robinson & son working at y^e fort | £2: 8: |
| 5. | Joshua Wingate for entertain of y^e Gov^r & Gen^s first Com | £9:12:1 |
| 6. | Stephen Greenleafe for Tobacco for the Indians | £ :10: |
| 7. | Benj^a Akarman for Dore Keeper for the yeare 1728 | £10: : |
| 8. | Richard Perry for Iron Work for the fort in full | £17:13: |
| 9. | John Curbeson for fetching the Timber for the Fort W^m & Mary deducting his night work & 3 lb. p^d by y^e Treasurer, now in full | £10: 4:6 |
| 10. | Walter Warren work Don for the Prison 1727 | £2: : |
| 11. | Walter Warren D° for D° 1728 | £6:13: |
| 12. | Sam^ll White work don for the Prison | £3:18·2 |
| 13. | Thomas Hamet for the fort Boat, 1727 & 1728 | £1: 7: |
| 14. | An accompt Clem^t Hughes abatem^t of Excise 1727 | £6: 1:4 |
| | | £133:18:1 |

We whose names are under written being appointed a comittee of audit by the Gen^ll ass^m for the Province affore said to audit the accounts of the Province to be Bro^t in this sessions have rec^d & exam^d the within mentioned acc^ts and Do Report as on the other side & submitt the same to the Gen^ll Ass^m for their approbation may 9^th 1729.

Rich^d Wibird Henry Sherburn
Natt Weare Theo Atkinson Esq
Bar^t Thing.

May the 13^th 1729, A. M. In the house of Representatives the above return was Read and voted thereupon that it be accepted and that the severall sums as carryed off: and that his Excell. be Desierd to Issue out Warrants for ye paym^t accordingly James Jeffry cl^r ass^m

| | |
|---|---|
| May the 9^th allowed James Jeffry as clerk of the ass^m from 19^th of 9^r 1727 to the 19^th 9^r 1728 | £15: : |
| Eod^m Die. D° Theo Atkinson as Sherrif for 1 year & ¼ ending may 8^th 1729 | £18:15: |
| D° to D° for Returning Jurors to the same time | £9: : |
| Allowed Mr Waldron as cl^r of the councill for y^e yeare May 14^th 1728 to the 25^th Aprill 1729 | £75: : |

[P. 147]. In the house &c.

A Petition of Ebenezer Eastman & Richard Hazen Jun^r of Haverill in behalfe of themselves & those of Haverill: That had grants in Haverill that might fall within the Province of New Hampshire &c Was Read.

Then the house adjourned to Wednesday the 30^th A. M.

---

Wednesday Aprill the 30^th 1729, A. M. the house met according to adjournment all present as entred for the day.

A vote past for a comittee of Both houses to draw a vote about the lines.

In the house &c.

Voted—

That Cap$^{t}$ Joshua Pierce be Recorder of Deeds for the Province of New Hampshire for one yeare from the date here of—& untill the next sitting of the assembly after the year is up: and that the said Recorder enter upon the severall Deeds he Records, and Copies that he gives out the Price y$^{t}$ he takes for doing the same.

James Jeffry Cl$^{r}$ ass$^{m}$

sent up.

Eod$^{m}$ Die. A Mess$^{a}$ from the Board pr J Odiorn Esq$^{r}$ that the above vote was concur'd.

Then the house adjourned for two hours P. M.

Wednesday Ap$^{r}$ 30$^{th}$ 1729, P. M. The house met according to adjournment all psent as entred.

A Petition of George Walker Gen$^{t}$ was Read praying Relief ag$^{t}$ a mortgage of W$^{m}$ Vaughans: for the cutting off an Entaile: on sum Lands of S$^{d}$ Vaughans contained in S$^{d}$ Mortgage.

Then the house adjourned to Thursday the 1$^{t}$ may am.

---

Thursday May 1$^{st}$ 1729 a. m. The house met according to adjournment all psent as Entred for the Day

Eod$^{m}$ Die.

In the house &$^{c}$.

Cap$^{t}$ Walker's Petition was Read againe and the Evidence taken, viz Richard Waldron of Portsmouth Jun$^{r}$ being of Lawfull age volluntaryly maketh oath That he was the penman as well as one of the Wittnesses of the Last Will & Testament of the hon$^{ble}$ George Vaughan Esq$^{r}$ Deceased and [P. 148] that the Testator told him, he the said Testator gave to his son William all his Lands at the Bank & between the creek & y$^{e}$ Bank in fee simple: with an exception for the other Son & maiden Daughters as in the said Will expressed: and further that severall times to the best of the Deponants Remembrance he the Testator Distinguished Between a fee simple and fee Taile Estate while he was giving the minits of his will: and the Deponant further Testified

That the said Testator told him the Reasons of giving his Bank Lands in fee simple (viz) to enable his son to pay Debts and Legacies by the sale of them: and lastly if the words of the will do create an Estate Taile of the Bank lands: It is entirely owing to the unskilfullness of y^e^ Deponant in pening the will: and both he and the Testator understood it otherwise at the time of Executing the will

Richard Waldron Jun^r^ May the 1^st^ 1729.

Samuell Hart of Portsmouth of full age Testifieth & saith that he hath heard the hon^ble^ Geo. Vaughan Esq Deceased say while in health that he intended his lands at the Bank should be sold into house Lots for the peopling the Town: but his Farm should never be sold.

pr Sam^ll^ Hart May 1^st^ 1729.

---

May the 1^st^ 1729 M^r^ Richard Waldron and M^r^ Sam^ll^ Hart made oath to the truth of their above Declarations in the house of Representatives.

James Jeffrey Cle^r^ ass^m^

Then the house Debated about settling the Govornors Sallary for three years, and it past in the affirmative.

Eod^m^ Die. In the house &^c^.

An answer to the Govornors speech was Drawn up and Read

Then the house adjourned for two hours P. M.

Thursday May the 1^st^ 1729 P. M.

the house met according to adjournment all psent as Entred.

In the house &^c^.

The answer to the Govornors speech was Read againe & voted to be accepted

[See Journal of General Assembly.]

[P. 149.] A Revivall of Dover Petition was Read and sent up that they appeare the 8^th^ Inst on the 2^d^ Day of the next sitting of the assembly.

Eod^m^ Die. In the house &^c^.

Capt George Walker's Petition was Read againe and the house ordered the clerk to notifie William Vaughan & Elliot Vaughan to appeare fryday ten aclock Which was Don and then the house adjourned to Fryday May the 2^d^ a. m.

Fryday May 2d 1729 A. M. The house met according to adjournment all present as entred for the day.

Eodm Die. In the house &c.

Voted—That Nathaniell Weare Esqr Mr Ep Dennit and maj Paul Gerrish be a committee of this house to joyn with a committee of the upper house to take the Records & files thereto belonging from where they now are & Deliver them to Capt Joshua Pierce as Recorder and take his receipt for the same: and that the said Joshua Pierce be qualified according to Law as soone as possible and that the receipt be entered In the Journal of Both houses.

James Jeffry Clr assm

A messge from the Board that the above vote was concurred & that R Wibird & J Odiorn was appointed above to joyn for the above said work.

The Return of the comittee about the lines of the Province was made and Brot in and Read & accepted & a copy on file.

Eodm Die. In the house &c.

Capt George Walkers Petition was againe Read and voted Thereon. That upon Reading the Will of the Testator George Vaughan, and hearing the evidences of the pson that Drew the same & other evidences

That the lands at the Bank the Testator intended a fee simple:

And for preventing Dispute hereafter that there be an act Drawn up and past that the Lands mentioned in the mortgage mentioned in said Walkers Petition shall be held and accompted a fee simple in the said Wm Vaughan [p. 150] to all intents and purposes (excepting the forty five lotts that Wm Vaughan has made over to his Brother Elliot Vaughan and fower sisters as on Record in the Province Records for the payment of two hundred pounds in land to each of them according to the Testators will.

And that Capt Joshua Pierce and Theo atkinson Esq be a comittee of the house to joyn with a comittee of the upper house to Draw up the act accordingly.

J Jeffry Clr assm

Then the house adjourned for two hours P. M.

Fryday May 2d 1729 P. M. The house met according to adjournment all psent as entred for the day

Eodm Die.

In the house &c.

John and Tamesen Tibbets Petition Read and Dismissed.

A mess[a] came Down pr m[r] Waldron cler con. That his Excellencie sent him with two pappers which he was ordered by him to Read and leave them: The one from his Excellencie the other was the act that Settled Gov[r] Dudleys Sallary.

And likewise a mess[a] pr Geo Jaffrey and R Wibird Esq[rs] with the vote for the Gov[r] Sallary with amendment above and for our acting thereon.

Eod[m] Die,

In the house &[c].

Voted. That the Province Tax this yeare be Raised on the Inhabitants of this Province their Pols & Estates according to the Last years Proportion and that an act be Drawn up accordingly: and that Nathaniell Weare Esq & Theo Atkinson Esq be a committee of this house to joyn with a committe of the upper house to Draw up Said act.

J Jeffrey Cl[r] ass[m]

A Mess[a] That Geo Jaffrey & Tho[s] Westbrook was appointed a comittee above.

Then the house adjourned to Sathurday May the third a. m.

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Sathurday May the 3[d] 1729, a. m.

The house met according to adjournment all psent as Entred for the Day

The rec[d] of the Recorder rec[d] viz,

[P. 151.] Portsmouth in New Hampshire

Received of the Comittee appointed to Receive the Province Records & Deliver them to me viz Shadrach Walton & Jotham Odiorn Esq[rs] of y[e] Councill, and nathaniell Weare Paul Gerrish & Eaphraim Dennit of the house of Representatives: The Books & files as followeth viz, six small Books numbered A, B, C, D, E, and sixteen Books N° 1 & so to 16, and forty three files or Bundls of Paper

I say rec[d] pr me.

Joshua Pierce

May the 3[d] 1729.

Vera Copia attest, James Jeffry C. ass[m]

the orriginall sent up after entring.

A vote of the house past: That the Cler send to Coll Weare and Maj Gillman to Bring in the money they have to Exchange the old Cypherd Bills, Which order I have sent. James Jeffry clr ass[m]

And then his Excellency adjourned the assembly at the Request of the house to Tuesday May 6[th] 1729, P. M.

Tuesday May the 6th 1729 P. M.

the house met according to adjournment, all psent as Entred for the day

Mr Speaker Wiggans
Cap J. Pierce
Geo Walker
Mr Ep. Dennit
Capt Paul Gerrish
Samll Tibbets
Francis Mathes
Natt Weare Esq.
Capt Joshua Wingate
Mr John Sanburn
Samuel Thing Esq
Mr Bart Thing
Theo Atkinson
Mr Richard Jennes
Mr Ebenezer Stephens
Capt John Downing
James Mackeen Esq.

Then the house adjournd to Wednesday the 7th Inst. A. M

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[P. 152.] Wednesday May 7th A. M. The house met according to adjournment all present as Entred

In the house &c.

Voted, That Capt Joshua Pierce & mr Eaphraim Dennit be a comittee of this house to Joyn with a comittee of the upper house to account with & receive from the six Trustees for Exchanging the 5384 lb old cypherd Bills that yet Remains in their severall hands, changed or unexchanged : and that they make Return to the assembly of their Doings.

Ja. Jeffry C. assm

sent up.

A Messa from the Board that the above vote was concur'd & that Henry Sherburn & Jo Odiorn Esqrs was appointed at the Board to Joyn with the above comittee.

Then the house adjourn'd to Thursday the 8th A. M.

---

Thursday May 8th 1729, A. M.

The house met according to adjournment all psent as Entred

A messa pr Geo Jaffrey & Thos Westbrook Esqrs from his Excellencie yt he intended for his other Governt Next week.

Then the house adjournd for two hours P. M.

Thursday May the 8th P. M. the house met according to adjournment psent as Entred.

The amendment of the Councill on the vote for ye Govornors Sallary was Read and nonconcurr'd.

Then the house adjournd to Fryday the 9th Inst. A. M.

Fryday May the 9th 1729, A. M.

The house met according to adjournment all psent as Entred.

In the house &c

Voted that James Jeffry be paid out of Publick money the sume of fifteen pounds for his service as clerk of the assembly from the 19th of November 1727 to the 19th of 9r 1728 and that his Excellency be Desired to Issu out a warrant accordingly.

James Jeffry C. assm

sent up.

May ye 10th ye above vote concurd above.

Eodm Die. In the house voted,

That there be paid —— out of the Publick Treasury the sume of £18: 15 as sherif for one yeare and Quarter ending the first of may 1729 & 9 lb for the Return of Jurors for the same yeare & yt his Excell be desired to Issue a Warrant accordingly J Jeffry C. assm.

Sent up & concurrd May 10th. and yn ye house 2 hours P. M.

[P. 153] Fryday May 9th 1729, P. M. the house met according to adjournment all present as entred

In the house of Representatives.

Voted—

That there be annually paid out of the Publick Treasury to his Excellency Govornor Burnet for his annuall support for and during the Tearm of three years, or during his Excellencies continuing Govornor,

The sume of two hundred pounds sterling or six hundred pounds in Bills of credit. Which said sume is to be in full of all Demands from this Goverment for his Excellencies sallary & all Expences in coming to Tarrying in or going from this Prov. as alsoe for any allowance to be made the Livt Govornor, and that the Excise on Liquors be from Time to Time appropriated to that use and that an act be Drawn up accordingly. James Jeffrey Clr assm

The above vote sent up, and the Messengers to pray the with drawing the vote of this house of May the second, and that this may be accepted.

Dissents agt this vote: Natt Weare Esq, Mr Bart Thing, Capt Joshua Wingate, Francis Mathes, Mr John Sanburn & Mr Ep Dennit.

Eod$^{m}$ Die.

A Mess$^{a}$ from the Board by M$^{r}$ Cl. Waldron that y$^{e}$ above vote was concurr'd with at the Board and that they returned the vote of the house of May the 2$^{d}$ according to the Prayer of the messengers.

Eod$^{m}$ Die.

A mess$^{a}$ pr M$^{r}$ Cle$^{r}$ Waldron That Geo Jaffrey & Thomas Westbrook Esq. was appointed by the Board to Joyn the comittee for Drawing up the act for settling the Govornors sallary.

Eod$^{m}$ Die. In the house &c

Voted—That Nathaniel Weare Esq and Theodore Atkinson Esq. be a committee of this house to Joyn with y$^{e}$ committee appointed by the upper house to Draw the act Relating to the Govorn$^{rs}$ sallary.

J. Jeffry cle$^{r}$ ass$^{m}$

Then the house adjourned to Sathurday May 10$^{th}$

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Sathurday May the 10$^{th}$ 1730, A. M.

The house met according to adjournment all present as Entred.

An order of the house was sent to Coll John Plaisted to Bring what money is in his hands as Trustee for exchanging the old Cypherd Bills

Eod$^{m}$ Die. In the house &c.

[P. 154] Voted—That his Excellencie Govornor Burnet is hereby Desired to give his orders to the Receiver of the Powder Money according to the last act. That he for beare to receive any such powder money from any sloops that coasts Between this and the Massachusetts, Rhode Island and Connecticut for this psent yeare 1729

James Jeffry Cl$^{r}$ Ass$^{m}$

In Councill May the 9$^{th}$ 1729.

The within vote was Read and Concurred with the following amendm$^{t}$, viz

That one third part be paid at or before the 25$^{th}$ July next, another third part at or before the 25$^{th}$ aprill 1730, and the remaining third at or before the 25$^{th}$ aprill 1731, and that those psons who shall neglect makeing the first of said payments shall have no benefit of this act, But extent shall go out against the Land mortgaged, any thing contained in the

act notwithstanding and that Sha: Walton & John Frost Esq be a comittee from the Board to Draw up an act accordingly R. Waldron clr con

Eodm Die. In the house &c

The above amendment was Read & concurr'd

James Jeffry Clr assm

and Samll Thing and Mr Ep Dennit be a comittee of this house to Joyn with the comittee above to Draw up ye act.

Eodm Die.

In the house ordered, That Mr Joshua Pierce take care of the money that the comittee recd from the Trustees.

Then his Excellencie adjourned the assembly to Munday the 12th Instant at 10 oclock A. M.

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[P. 155.] Munday May the 12th 1729, P. M.

The house met according to adjournment all present as Entred.

In the house &c

Voted, That each of the Trustees that had the 5384 lb to Change the old Cypherd Bills be allowed two & a halfe pr ct for Exchangin for what they have changed.

The 14th the above came Down nonconcur'd and Read againe and sent up that the house insist upon their vote.

James Jeffry J. C. assm

Then the house adjournd to Tuesday the 13th Inst A. M.

---

Tuesday May 13th 1729. The house met according to adjournment all psent as entred.

A Messa came from the Board pr R. Wibird & H. Sherburn Esqrs, That the Warrant for John Robinson must be for £99: 1: 6, and the Ballance But as entred in the allowances.

Then the house adjourned for two howers P. M.

Tuesday May 13th 1729, P. M. the house met according to adjournment all present as Entred.

In the house &c

Voted that Ephraim Dennit be and he is hereby Impowered to Demand and Receive from the severall psons that have of the 1730 lb the Interest Due on the several Bonds

and that Mr. George Jaffrey [p. 156] Give his bond for that money Due from Capt Gerrishes Estate in the form that the other Bonds are given and that on receipt of the Interest Due on said Bonds at 2½ halfe pr ct he enter the payment on the Bonds Respectively as rec$^{d}$ and pay the same into the Treasury from time to Time as he receives it.

James Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die. In the house &c

Dover Petition was Read and the Parties heard of their Councill and an order made for a comitte to go on the spot and view the severall Districts and setle a Dividing line according to the best of their judgments and that the Petitioners in the mean time be free from being Rated to the minister at the old Town &c and the maj$^{r}$ part agreeing shall be accounted sufficient to make Return at the next sessions for confirmation

In the house &c

The Bill for his Excellencies Sallary & the Excise was Read three times and past to be Enacted

sent up.

Then the act for Proportioning the Towns was Read.

Then the house adjourned to Wednesday the 14$^{th}$ Inst.

---

Wednesday May 14$^{th}$ 1729, A. M. the house met according to adjournment all present as Entred

The act for Proportioning the Towns was Read a 3$^{d}$ time.

In the house &c

Voted, That the 1076 lb 16*s* Tax for the yeare 1728, now in the Treasury be Repeated for the payment of the Debts of the Province that is and may be allowed by the Generall ass$^{m}$ and for a fund for the payment thereof

That an act be drawn up for the payment of It in the yeare 1741

By Province Tax on the Poles and Estates

Sent up. J. Jeffry Cl$^{r}$ Ass$^{m}$

Eod$^{m}$ Die. a Bill for prolonging the 15000 lb (which expired the day of Aprill Last past as pr the former vote.

Eod$^{m}$ Die.

a Petition of John Knight was Read, praying to be freed from y$^{e}$ payment of Excise, & Voted to be Dismist, & Sent up.

[p. 157.] In the house &c.

The Bill for Postponing the 15000 lb was Read three times and past to be Engrost. Sent up

Mem° the Liv^t Gov^r payed to the 14^th May 1728, charged in the Treasurers account not including the 14 day.

There was Bro^t in by M^r Treasurer Jaffrey Sixty Six pounds fifteen Shillings and one peny of the hundred pounds that he gave a receipt for May 25 1728 & Burnt

In the house &c.

Voted, That the said George Jaffrey be Discharged of the above Said Sume.

James Jeffry Cl^r Ass^m

A Mess^a from the Board pr M^r Geo. Jaffrey that the Bill for Postponing the 1000 pounds was concurred and at the Same time Bro^t Down the Governors Instruction ag^t Strikeing of money.

Eod^m Die. There was Bro^t into the Ass^m by Those Trustees for Exchanging the old Cyphered Bills and Burnt

| | |
|---|---|
| from Coll Hunking | £ 16:13: |
| Geo Jaffrey Esq^r | £ 36:17:8 or 5 |
| R. Wibird Esq^r | £169:10:9 |
| Maj. John Gillman | £ 45:16:6 |
| John Plaisted Esq^r | £ 28:15:3 |
| Coll Peter Weare | £ 32:14: |
| | £330:07:2 |

Eod^m Die. There was alsoe Bro^t in of the money for Changing the old Cyphered Bills:

| | | |
|---|---|---|
| | from the Ex^rs of Coll Hunking | £646:15: |
| R W, 23:3:1 | D° Richard Wibird Esq. - - - | £ 23: 1: |
| Wear 324:5: | D° Maj^r J. Gillman - - - | £568:13:3 |
| | D° Peter Weare Esq^rs - - - | £346:19: |
| | | £1595:08:3 |
| | Remains in Mr George Jaffrys hands | £—4: 1: |
| | | £1599: 9:3 |

Then the house adjourned for two hours P. M.

[P. 158.] May 14^th 1729, P. M.

The house met according to adjournment psent as Entred.

A Bill for ReEmitting 1076:16: was Read and past to Engrosd & Enacted

The vote for 2½ pr ct for the Trustees sent up againe

Eod^m Die. In the house &^c

Voted, That Mr Richard Waldron be allowed & paid out of the publick Treasury the sume of seventy five pounds in

full for his years allowance as clerk of the councill to the 25th Apr 1729.

James Jeffry C. assm

Eodm Die. In the house &c

Voted, That Mr Thomas Packer be allowed and paid out of the Publick Treasury the sume of forty shillings for the use of his house & utensils &c when his Excellency came first into the Province

J. Jeffry clr assm

Returned being to litle.

In the house &c

Rye Petition was Read and voted thereon That the Town of Hampton be served with a coppy thereof, and to appear next sitting of the assembly (if they see cause)

J. Jeffry clr. assm

The Petition of Richard Ward was Read and the vote of ye Councill thereupon,

That there be added one shilling & six pence pr week to the three shillings and six pence already allowed for the support of Poore Prisoners out of their Estate.

To which the house concurr'd and voted that an act be drawn up accordingly.

J. Jeffry clr assm

In the house &c

Voted, That Capt Joshua Pierce & Theo Atkinson be of Comtte from this house to Joyn with those that shall be appointed by the honble the Councill, to see how much there is of the 1076 lb: 16: Now in the Treasury to be Re-emitted that is fitt to pass– and to tell over what is not, That the same may be Burnt, as alsoe to get as many Blank Bills Impress'd and signed off as shall be Burnt of the said sume: and further that there be taken out of the money that was for Exchanging as much money as shall be Burnt or will not pass of the affore sd £1076: 16: & yt ye comtte affore said be hereby Directed to Reimburse the comittee for Exchange [p. 159] with the same sum that shall be so taken as soon as they get the same Impress'd and sign'd off.

James Jeffry clr. assm

There was appointed from the Board as a comittee to joyne with those above

R Wibird & J Frost Esqrs

Province of New Hampshire an account of what money Delivered to uss of the comittee appointed by the Genll assembly for Receiving the

same from the severall Trustees that rec'd amongst them the £5300 & odd for Exchanging the Cypherd Bills of y^e^ first Impression on the Province viz of w^t^ D^d^ Coll Hunking Esqr £16:13 cypherd Bills £17:3

| | |
|---|---|
| of D^o^ in new Bills | £646:15 |
| of Geo Jaffrey Esq^r^ | £ 36: 7:8 cypherd D^o^ |
| of D^o^ in new Bills | £ |
| of Rich^d^ Wibird Esq | £169:10:9 cypherd D^o^ |
| of D^o^ in new Bills | £ 23: 3:1 cypherd D^o^ |
| of Maj John Gillman | £ 45:16:6 cypherd D^o^ |
| of D^o^ in old new & Broken Bills | £568:13:3 |
| of Coll Plaisted | £ 28:15:3 cypherd D^o^ |
| of Coll Weare | £ 76 : Mass^a^ money |
| & Cypherd money | £ 32:14:0 Burnt |
| of D^o^ Rhode Island money | £ 30 |
| of D^o^ old New Hampshire | £122: 5: money |
| of D^o^ | £ 96: N Hamp money |
| | £1892:13:6 |
| Deducting money now Burnt | £ 330: 7:2 |
| | 1562: 6:4 |

Portsmouth May 14 1729 — Jotham Odiorne, Henry Sherburn, Ephr^m^ Dennit, Josh Pierce — Comittee

Copia J Jeffry Cl^r^ Ass^m^

The house adjourned to Thursday May 15 a. m.

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[P. 160.] Thursday May 15^th^ 1729 A. M.

The house met according to adjournment psent as entred. James Mackeen Esq Desires the favor of this house that he may be Dismissed, which the house took under consideration and accordingly granted his Request, and voted that the s^d^ James Mackeen be Dismissed from serving as an assembly man and that Mr Speaker issue out a warrant to the Selectmen of Londonderry to chuse a Representative in the roome of the s^d^ James Mackeen to Represent them in the assembly at the next sessions

J. Jeffry Cl^r^ ass^m^

In the house &^c^

Voted—That Benjamin Rust be allowed and paid out of y^e^ publick Treasury for the use of the court house to the 10^th^ ap^r^ Last past being one year and halfe twenty foure pounds Deducting five pounds & six pence that is already allow'd Thomas Packer for wood and candles out of the above sum.

J Jeffry Cl^r^ ass^m^

In the house

Voted—That Theo Atkinson and Mr Joshua Pierce be a comtte of this house to joyn with a comittee of the upper house to let out the excise of this Province for any Tearm not exceeding three years, to the highest bidder and that they take sufficient security payable every yeare to the Treasurer.

J Jeffry Clr assm

Eodm Die. A Messa from the Board That the above vote was concurr'd & That R Wibird & H Sherburn Esqrs were appointed above to joyn.

Eodm Die. In the house &c

Allowed Mr Thos Packer 20s for fireing more than the former allowance.

They sent down nonconcurr'd

In the house &c

Voted—That Henry Sherburn in the Plaines be allowed & pd out of the Publick Treasury the sume of three pounds for expenses of the Troops treated there on Proclaiming King George the 2d

Concurd Jas Jeffry Clr assm

[P. 161.] In the house &c

Voted—That the five hundred pounds due from the sundry of the Inhabitants of the Town of Kingston and payable to ye grand comittee for sd money at 3 pr ct be paid into the sd comittee as the other part of said sume of £15000 is viz That each person hath of that money pay £10 p ct for ye same and at Times prescribed for the Remainder part of the said £15000

J Jeffry Clr assm

Ballance Due to Mr Geo Jaffrey May 15th 1729 on his genll accompt £239 : 13 : 9.

Eodm Die In the house &c

Voted—That his Excellency be Desired to Direct the Kings attorny to put the Bonds given for payment of the Excise in suite in case the Ballance Due thereon be not paid in a months time from the Riseing of the present assm

J Jeffry Clr assm

Whereas the affairs of the Boundary Lines Between this and the Province of the Massachusetts and the stores for Fort Wm & Mary that have been so long solicited for are yet Depending before the King in Councill and the Issuing

thereof has in a Great Measure been occasioned for want of the agents being enabled to present the same and his comiss$^{ns}$ being new Determined

Voted—That his Excellency be Desired to comiss$^{n}$nate Mr Henry Newman our former agent to be agent for this Province and that the sume of one hundred pounds sterling be sent to said Newman to enable him to prosecute the above affairs and any other matter that relates to this Province.

May 13$^{th}$ R Waldron Cl$^{r}$ Con.

In the house &$^{c}$

The above vote Read and concurr'd with this amendment & that [p. 162] Instead of 100lb sterling to be sent the said agent, That the money Due to the Province in the hands of Mr John Penhallow together with the Interest Due on the severall Bonds given for the 1730lb be appropriated for the use above said

James Jeffry Cl$^{r}$ ass$^{m}$

Returned & addition made In the house

Voted—That 200lb this currency or the vallue thereof ster$^{g}$ be sent our agent and that the Debt & Interest above said be appropriated to that use—and that the Treasurer be Directed & Impowered & sue for the same

May 15$^{th}$ 1729. J Jeffry Cl$^{r}$ ass$^{m}$

In the house &$^{c}$.

Voted—That the 500lb Due from the Sundrie Inhabitants of the Town of Kingston which was let out at 3 pr ct pr annum be rec$^{d}$ by the grand comittee in three payments as pr the late act is Provided for those that are Indebted for the 15000lb: and that Instead of the three pr ct pr annum each pson pay 10 pr ct on the whole sume each pson rec'd of the said Money & that the money so rec'd be put into the Treasury from time to time as it shall be rec'd.

Jas Jeffry Cl$^{r}$ ass$^{m}$

In the house &$^{c}$.

Voted—That the money rec'd from the former Trustees w$^{th}$ w$^{t}$ remains in the hands of the said Trustees be put into the hands of Theo Atkinson Esq and M$^{r}$ Bar$^{t}$ Thing for Exchanging the old Cypherd Bills to be allowed 2½ pr ct for what shall be by them Exchanged till further order.

J Jeffry Cl$^{r}$ ass$^{m}$

Returned nonconcurr'd and the following amendm$^{t}$ viz that in

the Roome of Theo Atkinson Esq & M^r Bar^t Thing be Incerted the Treasurer for the Time Being. R W Cl^r Con.

In the house of Representatives, The above amendment read and voted

That the house adhere to their former vote

J Jeffrey Cl^r ass^m

[p. 163.] May 15^th 1729.

A Memoriall of Mr John Penhallow was Read wherein he Desires satisfaction for an Indian captive that he had

And voted Thereon That the memoriall be Dismissed and That Theo Atkinson be a comittee of this house to joyn with one of the upper house to give Reasons why the Province of New Hampshire ought not to make satisfaction.

James Jeffry Cl^r Ass^m

In the house &c.

Voted—That Nathaniell Weare Esq and Cap^t Joshua Pierce and Theo Atkinson be of a comittee from this house to joyn with a comittee of the upper house to meet the comittee that may be appointed by the Province of the Massachusetts Bay to run the West line from three miles to the northward of the mouth of Merrymack River: and to run as far west for the present as the Town of Donstable the west side the River that runs Down into Merrymack

James Jeffry Cl^r ass^m

Sent up & concurr'd and Sha Walton Geo Jaffrey and John Frost Esqrs were appointed a comittee from the Board for that end.

In the house &^c.

Voted—That his hon^r the liv^t Govornor be paid out of the excise That is now Due the sume of one hundred pounds as comand^r in chief from May 1728 to the time of the new setlement in November last past.

J Jeffry Cl^r ass^m

In the house &^c.

Voted—That the Treasurer Receive the present years Tax from the severall Constables in this Province in any passable Bills of C^r of any other Province as well as Bills of this Province

J Jeffry Cl^r ass^m

An act in addition to the act for allowances to poore prisoners Read three times.

Henry Sherburn and Theo Atkinson were made Trustees for the Exchanging the old cypherd Bills of C^r the vote Re-

lateing Kingston concurr'd and the Reconsidering the agents vote concurr'd.

The house adjourned for two hours P. M.

[P. 164.] The house met according to adjournment psent as Entred.

In the house voted

That Theo Atkinson Esq and Mr Ephraim Dennit be of the comittee of this house to joyn with a comittee of the upper house to write to Mr agent Newman and give him further Instruction about the lines and stores.

J Jeffry Clr assm

Sent up and a Messa from ye Board that the above vote was concurr'd and that Geo Jaffrey & H Sherburn Esqrs were appointed at the board to joyn the above comittee.

Memo the sume of the money for the old cypherd Bills exchange in the comittee hands is—£1559 : 4 : 1.

His Excellencie sent for the Speaker and the house to attend him at the Board and the house went up accordingly and the Bills were Read and past.

And then his Excellency adjourned the Generall assembly to the second Tuesday in 8r next.

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Tuesday 9r 25th 1729 (1) The house met & present

| | |
|---|---|
| Mr Speaker Wiggans | Mr John Sandburn |
| Capt Joshua Pierce | Mr Bart Thing |
| Capt Geo Walker | Mr Richard Jennes |
| Mr Ep Dennit | Capt John Downing |
| Nathaniel Weare Esq | Mr John Goff |
| Capt Joshua Wingate | Mr Theo Atkinson |

[P. 165.] Tuesday December the nineth 1729 P. M.

The house met according to Prorogation

Present

| | |
|---|---|
| Mr Speaker Wiggans | Mr John Sandburn |
| Joshua Pierce Esq | Samll Thing Esq |
| Capt Geo Walker | Mr Barthe Thing |
| Mr Ep Dennit | Theo Atkinson Esq |
| Paul Gerrish Esq | Mr Richard Jennes |
| Capt Saml Tibbets | Mr Ebenezer Stephens |
| Capt Francis Mathes | John Downing Esq |
| Nathan Weare Esq | Mr John Goff. |
| Capt Joshua Wingate | |

(1) Probably there were successive adjournments or prorogations by his Excellency's order—See next date. Ed.

A Mess$^{a}$ from his hon$^{r}$ That M$^{r}$ Speaker & the house attend him at the Board. They went up accordingly his hon$^{r}$ made a Speech of which Mr Speaker ob$^{t}$d a copy and Returnd

[See Journal of General assembly,]

A letter from mr Newman was Bro$^{t}$ Down & read

Then the house adjourned to Wednesday the 10$^{th}$ X$^{r}$ 1729.

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Wednesday X$^{r}$ 10$^{th}$ 1729. A. M. the house met according to adjournment all present as Entred for the Day

Mr John Goff was Returned as Elected a Representative for the Town of Londonderry & appeared & was Quallified according to Law & accepted.

Then the house adjourned for two hours P. M.

[P. 166.] Wednesday X$^{r}$ 10$^{th}$ 1729 P. M. The house met according to adjournment as Entred.

Eod$^{m}$ Die. In the house of Representatives

Voted—That the Province rate for the next yeare be paid into the Treasury in the same Proportion as last yeare and that the Treasurer Issue out his warrant to the several towns within this Province accordingly and that an act be drawn up accordingly.

Jas Jeffry clr ass$^{m}$

X$^{r}$ y$^{e}$ 12 : a Mess$^{a}$ y$^{t}$ y$^{e}$ above was concurrd.

The Return of the Comittee that was ordered to make the Dividing Lines Between Oyster River Dover & the Northeast part of Dover was read and alsoe a Petition of sundry of the People lying neare the Dividing line Between Dover and Oyster River was read & sent up to know if the Board would joyn with the House in hearing the Parties.

Eod$^{m}$ Die—A Mess$^{a}$ pr Mr Clerk Waldron That according to the Desire of the House the Board was ready to proceed.

Then the House went up & heard the Parties & returned.

Eod$^{m}$ Die. In the house of Representatives

Voted that Theo Atkinson and Nathaniel Weare Esqrs be a Comittee of the house to make an answer to y$^{e}$ Governors Speech & lay it before the House for approbation:

In Councill X$^{br}$ 10$^{th}$ 1729.

Voted that the Petitioners for a Parish in the northeast part of Dover have liberty to bring in a Bill according to the Report of the Comittee varying the bounds from the head

of fresh Creek to a white Oak Tree as the Rhoad goes—and the other part of the Report relating to Oyster River to lye under consideration till next Spring sessions. That Mr Joseph Jones & others who take exceptions to the bounds of Oyster River may have opportunity to show the justice of their objections by a plat.

R Waldron Clr Con.

Eodm Die In the house of Representatives read & concurrd

James Jeffry Clr assm

Then the house adjourned to Thursday the 11th Xbr A. M.

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[P. 167] Thursday Xbr 11th 1729 A. M.

the house met according to adjournment all psent as Entred

Eodm Die In the house of Representatives

Voted that there be a comittee of this house to joyn with a comittee of the upper house to tell over the severall pcells of money now in the Treasury to be Burnt or Repeated and make their Return to the Genll assembly and that Theo Atkinson Esq and Mr Eaphraim Dennit be a committee from this house for that End.

James Jeffry Clr assm

Eodm Die,

A Messa pr Mr Waldron That the above vote was concurrd and that R Wibird & J Sherburn Esq was appointed above for that end.

Then the house adjourn'd for two hours P. M.

Thursday Xr 11 1729 P. M. The house met according to adjournment all psent as entred.

Eodm Die. In the house of Representatives

Voted—That James Jeffry be paid out of the Publick Treasury the Sume of fifteen Pounds for his service as clerk of the assembly from the 19th of November 1728 to the 19th of November 1729 & that his honr the Livt Govornr be Desired to Issue out a Warrant accordingly.

James Jeffry Clr assm.

A Messa pr Mr Waldron the above vote was concurr'd.

Then the house adjourned to Fryday Xr the 12th 1729, P. M.

Fryday X^r 12^th 1729, A. M. The house met according to adjournment all psent as entred

Voted—That Thomas Harvy be paid out of the Publick Treasury, the sume of three pounds expences of the souldiers in Proclaiming the Liv^t Gov^rs Comission.

James Jeffrey Cle^r ass^m

Allowed Benj^a Rust for the use of his house from the tenth of Ap^r 1729 to the 10^th of October 1729 being 6 months £8

The above Refer'd at the Board.

Eod^m Die.

Received at George Jaffrey Esq^rs by the comittee for telling the money the sume of thirty three pounds five shillings in full of a rec^t he gave for one hundred pounds May 25 1728.

A petition of Ebenezer Tutle for Relief in cutting off an Entale on Lands his father Mortgaged to y^e Province

[P. 168.] The comittee for telling the money over Bro^t in to the assembly the sume of two thousand one hundred and fifty two pounds three shillings of the 15000 lb Loan received of George Jaffrey Esq^r that had been paid in to him by the comittee Gen^ll and off said sume the said George Jaffrey is hereby Discharged.

Then the house adj^d for 2 hours P. M.

Fryday X^r 12^th 1729, P. M. The house met according to adjournment all present as entred

In the house of Representatives

Voted on Tutles Petition. That it not appearing to uss that the Petitioner hath complied with his Maj^tics 25^th Instruction to our Gov^r by giving Publick Notice &^c that the said Petition be Dismissed

James Jeffry Cl^r ass^m

X^r 16, A mess^a that y^e same was dismissed at y^e board

In the house of Representatives.

Voted—

That tis the opinion of this house y^t y^e Excise act is Terminated and that another act be Drawn up to Revise it.

James Jeffry Cl^r ass^m

A Mess^a pr Mr Waldron. That the Board was Ready to attend the hearing of the Ry Petitioners

The house went up for the same end, and after hearing Returned, and Debated upon it, and

Voted—That the Prayer of the petitioners be so far granted That a Comittee of Indefferent psons be chosen and go upon the spot and make their Return to the gen$^{ll}$ ass$^{m}$ next sessions, and that the Petitioners pay the charges, and that a plat be made and Bro't into the assembly by said Comittee of the old p'ish of Hampton with a Division of the north Hill part alsoe of the whole p'ish of Rye, and alsoe of that part that belongs to Portsmouth & Greenland that is Powld off to Ry for further consideration.

J Jeffry cl$^{r}$ ass$^{m}$

Mr John Sanburn & Mr Joshua Wingate enters their Discent ag$^{t}$ the above vote. Then the house adjourn'd to Sathurday the 13$^{th}$ A. M.

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[P. 169.] Sathurday X$^{r}$ 13, 1729, A. M.

The house met according to adjournment all psent as Entred for the Day.

A Mess$^{a}$ pr R Wibird J Odiorn and Mr Cler Waldron that the Govornor adjourned the assembly to Munday the the 15$^{th}$ curr$^{t}$

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Monday X$^{r}$ 15 P. M. 1729. The house met according to adjournment.

P'sent

| | |
|---|---|
| M$^{r}$ Speaker Wiggans | M$^{r}$ John Sanburn |
| Cap$^{t}$ Joshua Pierce | Sam$^{ll}$ Thing Esq$^{r}$ |
| Geo Walker | M$^{r}$ Bart Thing |
| M$^{r}$ Ep Dennit | Theo Atkinson Esq$^{r}$ |
| Paul Gerrish Esq | M$^{r}$ Rich$^{d}$ Jennes |
| Cap$^{t}$ Sam$^{l}$ Tibbets | Mr Eben$^{r}$ Stephens |
| Cap Fran Mathes | John Downing Esq |
| Natt Weare Esq$^{r}$ | Mr John Goff |
| Cap$^{t}$ Joshua Wingate | |

The Speaker not apppearing the Liv$^{t}$ Gov$^{r}$ adjourned the ass$^{m}$ to Tuesday y$^{e}$ 16 A. M.

---

Tuesday X$^{r}$ the 16 1729 A. M.

The house met according to adjournment all psent as En-

tred for the day and the Speaker not appearing the house proceeded to chuse a Speaker pr tempore by Ballot

and Theo Atkinson was chosen

allowed John Robinsons acc$^{t}$ £32 : 13.

allowed Mr Atkinson going to Boston for Gov$^{r}$ Burnets Com$^{n}$ £9 : 5 both concurred above

[P. 170] The house adjourned for two hours P. M.

Tuesday X$^{r}$ 16$^{th}$ P. M. the house met according to adjournment all psent as Entred.

allowed Richard Perry £6 : 8 in full of his acc$^{t}$ of £8 : 6 : 2

Then the house adjourned to Wednesday the 17 A. M.

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Wednesday X$^{r}$ 17$^{th}$ A. M. The house met according to adjournment all present as Entred for the day.

Whereas the act of this Government for Setling a Sallary upon Governor Burnet Is by his Death(1) Expired and the act for Laying an Excise of Liquors having some Reference to the said act for setling a Sallary which may cause Some Dispute whether the Said Excise act is not alsoe Expired to prevent which in the house of Representatives

Voted that it was the Intent and meaning of the Legislature that the Said Excise act so far as Related to the Excise should be in force untill three years from the Publication thereof, and that the money collected by virtue of the sd act shall be from Time to Time applyed for the paying y$^{e}$ allowance made by the Gen$^{ll}$ assembly.

Voted that Richard Waldron Jun$^{r}$ be allowed & paid out of the Publick Treasury for making out comiss$^{ns}$ £34 : 18.

to Thomas Packer for wood to May 1729 £1.

A mess$^{a}$ pr mr cler Waldron that his & Thomas Packers allowance was concurr'd with above.

In the house.

Voted—That Mr Ephraim Dennit be allowed and paid out of the Publick Treasury the sume three pounds for his Trouble in gathering the Interest money on the 1730lb Bonds. J Jeffry Cl$^{r}$ ass$^{m}$

Eod$^{m}$ Die. In the House.

Voted That the 1730lb now at Interest the Bonds be renewed and Interest paid at 6 pr ct pr annum or otherwise that the money be Bro$^{t}$ in and Burnt.

J. Jeffry Cl$^{r}$ ass$^{m}$

A mess$^{a}$ that the Last vote lye for consideration.

(1) See notice of his death in Journal of General Assembly. Ed.

[P. 171.] The act for Reviving the Trespass was Read three times and past to be enacted & Sent up and concurr'd.

Then the house adjourned for two hours P. M.

Wednesday the 17th Xr 1729 P. M.

The house met according to adjournment all psent as entred

Allowed Henry Sherburn Esq 2 : 12 : 6 for canvas for the fort Boat.

Allowed Solomon Cotton 15*s* for Expenses of the Troop when they went to meet Govornor Burnet.

In the house.

A vote passed on the Dover Petition for a comittee to goe and Examine the Town Bookes &c concur'd above and Henry Sherburn & Jotham Odiorn were appointed from the Board.

Then the house adjourned to Thursday the 18th A. M

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Thursday Xr the 18th 1729 A. M.

The house met according to adjournmt all present as Entred.

Madam Rogers Petition was Read and ordered to ly till the next sessions and that. the clerk of the assembly in the mean time get information from the Late Treasurer Penhallows acct how Govr Dudley.

In the house &c

Voted, That five hundred pounds of the 1400 lb Tax now in the Treasury be post pon'd to the yeare 1742 and that it be now applyed to the payment of the allowances made this assembly & that an act be drawn up accordingly and that the Remaining 900 lb be put into a comittees hands and let out six pr cent pr annum or otherwise brot in and Burnt according to the act.

J Jeffry Clr assm.

Then the house adjourned for two hours P. M.

Thursday Xr the 18th 1729 P. M. The house met according to adjournment all present as Entred.

A Messa came from the board that the 500 lb was to litle.

Then the house adjourned to Fryday the 19th A. M.

Fryday X$^{r}$ the 19$^{th}$ 1729 A. M. The house met according to adjournment all present as Entred.

Allowed Eleazer Rusell his account £9 : 6 : 2

and allowance to M$^{r}$ Gambling that was formerly allowed for giving the oath of allegiance, £4 : :

In the house

[P. 172.] Voted that the sume of seven hundred pounds of y$^{e}$ fourteen hundred pounds which by act is to be Bro$^{t}$ into y$^{e}$ Treasury this yeare be Remitted for the Defraying the Charges of the Government which hath been allowed This sessions by the Generall assembly and that an act be Drawn up Requiring the payment of the same againe in the yeare 1742 and that the remaining seven hundred pounds remaine in the Treasury till the further order or the Gen$^{ll}$ ass$^{m}$

James Jeffry Clr ass$^{m}$

In Councill X$^{r}$ the 19$^{th}$ 1729.

Voted—

That the selectmen of the severall Towns within this Province be and hereby are Directed to take an Invoice of all the Poles and Rateable Estates within their Respective Towns and District and Report the same upon Oath at the next sessions of the Gen$^{ll}$ assembly in order to a new Proportion of the Province Tax for the yeare 1731 and onward as the Gen$^{ll}$ assembly shall see meet.

R. Waldron Clr. con.

The act for Postponing 700 lb to 1742 Read three times and past and sent up

A Mess$^{a}$ pr mr cler. Waldron that his hon$^{r}$ the Liv$^{t}$ Govorn$^{r}$ Required the attendance of the house att the Board accordingly the house went up.

And the Liv$^{t}$ Govornor PROROUG'D the Gen$^{ll}$ Assembly to the Last Tuesday of May next.

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[P. 173.] April the 23$^{d}$ 1730

The Assembly met by order of the Liv$^{t}$ Govern$^{r}$ and Councill

P'sent

| | |
|---|---|
| Mr Speaker Wiggans | Mr John Sandburn |
| Joshua Pierce Esq. | Sam$^{ll}$ Thing Esq |
| Capt George Walker | Mr Bar$^{t}$ Thing |
| Mr Ep Dennit | Theo Atkinson Esq |

| | |
|---|---|
| Paul Gerrish Esq. | Mr Rich$^{d}$ Jennes |
| Capt Sam$^{ll}$ Tibbets | Mr. Eben Stephens |
| Cap$^{t}$ Francis Mathes | John Downing Esq |
| Natt Weare Esq | Mr John Goff |
| Cap$^{t}$ Joshua Wingate | |

A Quorum being met and his hon$^{r}$ notified thereof his hon$^{r}$ the Liv$^{t}$ Govornor Directed the house to attend in the Council chamb$^{r}$ Mr Speaker and the house went up: The Liv$^{t}$ Govornor made a Speech of which Mr Speaker pray'd a Copy and Returned

The purport of the Speech was of the advice of Mr. Belchers being made Govorner & Expected dayly & to compliment and make Provision for his receptance

It was agreed on in the House that considering the Distemper at Boston and danger in going: that a letter would be acceptable & sufficient and a Mess$^{a}$ sent to signifie the mind of the House

A Mess$^{a}$ came Down that the Board consented and signified that his hon$^{r}$ Intended to go himselfe: and take two of the Councill with him: and hop'd that the ass$^{m}$ would pay the charge

[P. 174.] In the House &c

Its the advice of the House that the Expences of his hon$^{r}$ the Liv$^{t}$ Govornor and two of the Gentlemen of the Councill that goe with him to waite on his Excellencie after his arrival at Boston that their Expenses be paid out of the Publick Treasury and also that the Expences of the Gen$^{ll}$ Assembly & Council that shall Waite upon his Excellencie at his arrivall into this Province as far as the line be paid out of the Publick Treasury: and Theo: Atkinson Esq and Mr. Ephraim Dennit be of the Comittee of this House to provide for the Entertainm$^{t}$ of his Excellencie & and to do it after they heare of his arrivall at Boston and that the Treasurer suply them with money

James Jeffry Cl$^{r}$ ass$^{m}$

And then they were Dismissed

Prorouge by Proclamation to the 16: June 1730

Prorouge againe By Proclamation to y$^{e}$ 2$^{d}$ Tuesday in July 1730

Prorouge againe By Proclamation to 1$^{st}$ Tuesday in August 1730

*Answers to the Queries sent from the Right Hon'ble the Lords of Trade and Plantations, Jan. 22, 1730.*

[From MS. Corr. in Secretary's, Office, Vol. I, pp. 61–66.]

1. The situation of y^e^ Province of New Hampshire is between the Province of the Massachusetts Bay and the late Province of Main, bordering about fifteen miles in width upon the Atlantick sea or Western Ocean. The nature of the Country as to the ground, is rough, uneven and hilly, but for the most part a good soil, being a mixture of clay land and loom, well watered and suitably adapted for hemp and flax, and having considerable meadows in it. As to the climate, 'tis cold. Portsmouth, the Capital of the Province, is in forty three degrees and twenty minutes north latitude, and sixty eight degrees west from London, settled by good observation.

2. The Province has no other boundaries than what are expressed in the Kings Commission to the Governor and they are from three miles to the northward of Merrimack river on y^e^ one side, to Piscataqua river on the other, and no other bounds are mentioned in the s^d^ Commission, and both of them are in dispute w^th^ the Goverment of the Massachusetts Bay.

3. As to the Constitution of the Goverment, the Supream Power here is vested in the Governor and Council (appointed by the King) and a house of Representatives, (chosen by the People) who make Laws, &c.

4^th^. The trade of the Province is lumber and fish. The number of shipping belonging to the Province are five consisting of about five hundred tons, and there are about three or four hundred tons of other shipping that trade here (annually) not belonging to the Province. The seafaring men are about forty. The Trade is much the same as it hath been for ten years past.

5^th^. The Province makes use of all sorts of British manufactures, amounting to about five thousand pounds starl^ng^ per ann in value, which are had principally from Boston.

6^th^. The Trade of this Province to other Plantations is to the Caribbee Islands, whither we send lumber and fish, and receive for it rum, sugar, molasses and Cotton: and as to the trade from hence to Europe, it is to Spain or Portugal, from whence our vessels bring home salt.

7^th^. The method to prevent illegal trade is by a Collector appointed at home.

8^th^. The natural Produce of the Province is timber (of various kinds) viz. (principally) oak, pine, hemlock, ash, beach & birch; and fish, and they are the only commoditys of the Place. The Timber is generally manufactur'd into beams, plank, knees, clap-boards, shingle & staves, and sometimes into house-frames, and the value of those commoditys annually Exported from hence to Europe and the West-India Islands, is about a thousand pounds sterling, *Memorand.* besides what is above mentioned, the Coasting sloops from Boston, carry from hence thither in fish and Timber about five thousand pounds, pr annum.

9^th^. No mines are yet discovered, except a smal quantity of Iron ore in two or three places.

10^th^. The number of Inhabitants, men, women and children, are about ten thousand whites and two hundred blacks.

11th. The Inhabitants are increased about four thousand within this ten years last past, a thousand of which (at least) are People from Ireland(1) lately come into and settled within the Province. Another reason of the Increase of late more than formerly, is a peace with the Indians the four last years.

12. The Militia are about Eighteen hundred consisting of two regiments of foot, wth a Troop of horse in each.

13th. There is one Fort or Place of Defence, called Fort William and Mary, situate on the Great Island in New Castle, which commands the Entrance of Piscataqua river, but is in poor low circumstances, much out of repair, and greatly wanting of stores of war, there not being one barrel of gun-powder at this time in or belonging to that Garrison.

14th. There are no Indians in this Province now in time of Peace that we know of.

15th. There are no Indians in the neighborhood of this Province that we know of, Except in the Eastern parts of the Province of the Massachusets Bay, and what their number or strength is, we are not acquainted.

16. We have no neighboring Spaniards or other Europeans, except French, who according to the best intelligence we can get, are extremely numerous and strong both at Canada & Cape Briton.

17. The Effect which the French settlements have on this Province is, that the Indians are frequently instigated and influenced by them to disturb the Peace and quiet of this Province, we having been often put to a vast expense both of blood & treasure to defend ourselves agst their cruel outrages.

18. The Revenue arising within this Province is three hundred ninety and six pounds by Excise, which is appropriated towards the Governor's Salary, and about three or four barrels of Gun-powder from the shipping which is spent at the Fort. There is no other revenue but by tax on Polls & Estates.

19. The ordinary Expense of the Goverment is about fifteen hundred pounds pr annum, now in time of peace. The extraordinary & Contingent charges, as Repairs of the Fort, powder, &c. are about five hundred pounds more.

20th. The Establishments are six hundred pounds pr Annum Salary on the Governor, Eight shillings pr diem on each Councillor, & six shillings pr diem on each Representative during the Session of General Assembly, and a hundred and fifty pounds pr annum on the officers and souldiers at the Fort. There is no other Establishment Civil or Military wthin the Governmt, but the General Assembly make allowances from time to time as they see meet, to the Treasurer, Secretary, &c. The Judges, Justices, Sheriffs, Clerks, & all other officers' fees, are fix'd by a law to be paid by the party & persons whom they serve; but they have nothing out of the Treasury. All the officers Civil & Military hold their Places by Commission from the Govr, except ye Councilrs appointed by the King, the Recorder of Deeds chosen by the Genl Assem: the Clerks of Courts nominated by the Judges of the sd Courts respectively, and selectmen, assessors, constables, tithing men & other Town Officers chosen by ye Towns at their respective Town meetings.

(1) These were the Scotch-Irish, who settled at Londonderry. Ed.

# JOURNAL OF THE COUNCIL AND ASSEMBLY,

*From April 22d, 1729, to April 23d 1730—during Governor Burnet's Administration.*

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NOTE BY THE EDITOR.

The Journal of the Council and Assembly which follows, from April 22d,1729, to April 23d,1730, embraces the period of Governor WILLIAM BURNET'S Administration, and until the arrival of Gov. Belcher. This Journal is contained in a bound MS. volume in the office of Secretary of State, labeled "JOURNAL OF THE COUNCIL AND ASSEMBLY, 1729–1742." The Journal, as here printed, is interspersed with miscellaneous Records and Documents relating to the same period.

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[P. 1.] Prov. of N. Hampr.

At a General Assembly held at Portsmouth by Prorogation Tuesday April 22d 1729.

Present

His Excellency WILLIAM BURNET Esq. Governr

His Honor John Wentworth Esq Lt Governor

Shada Walton, Geo: Jaffrey } Esqs — Richd Wibird, Joth Odiorne } Esqs

Henry Sherburne Esq.

A message from his Excellency to the House by the clerk to require their attenda at the Council Board the Speaker and House came up accordingly to whom his Excellency was pleased to make the following Speech.

*Gentlemen*

I should have met you sooner if I had followed my inclinations, but the difficultys I have been struggling with in my other Goverment would not permit to leave it, til I had used all possible means to bring them to an Issue. I have now obtain'd a full approbation from the Lords Commissioners for Trade and Plantations of my conduct there in declining to accept of money from on the Assembly on any terms different from those in my Instructions, which their Ldships do me the honour to call prudence and integrity in me. I have an Instruction of the like nature to lay before you for settling a salary on the Governor

and commander-in-chief for the time being and as you may believe it will be a sacred rule to me, especially after such a justification so I hope it will be chearfully comply'd with on your part, since it will undoubtedly entitle you to his Majesty's favour; And indeed the sum demanded of you is but a fifth of that mentioned in my Instructions for the Mass[a] bay which is the proportion you have usually made your choice; and when this is done the amount of all your Publick charges (p. 2) will not be above a tenth part of those sustained by them. I have done what lay in me to prevent the mischiefs that might arise from disputes about the bounds of the two Provinces, and shall be very ready to Contribute my endeavours to bring that matter to a happy conclusion and to joyn with you in every thing that may conduce to the welfare of the Inhabitants as far as it is in my power. I shall be glad to see it appear by your proceedings, as it may with reason be Expected, that the nearer a form of Goverment approaches to the good old Constitution of England and the less it is incumber'd w[th] singularitys and innovations the better are the publick affairs managed, and the liberty and property of y[e] Subject secured.

The Speak[r] obtained a copy of the foregoing speech from his Excellency and then the House withdrew.

Adj[d] 'til tomorrow 10 o'clock A. M.

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Prov. N. Hamp[r].

At a Gen[l] Assem held at Portsm[o] by adj[t] Wednesday April 23[d] 1729.

Present

His Excellency William Burnet Esq Gov[r]

Shad[a] Walton, Geo Jaffrey } Esqrs

Rich[d] Wibird, Joth Odiorne } Esqrs

Henry Sherburne Esq.

His Excellency laid before the Board a New Seal w[th] his Majesty's Instruction for using the same & sending home the old one: y[e] Instruction bears the date y[e] 28[th] Sept 1728 & is on file.

A message from his Excellency to the house by Shad[a] Walton Geo Jaffrey Esqr and the clerk with his Majestys 30[th] Instruction to the Governor for settling a Salary w[ch] was read and left with them.

A message to the Board by Capt Winget and Mr Barth[l] Thing to propose reviving the Excise Act

Adj. til tomorrow 10 o'clock A. M.

*Instruction 30th.*

[Copied from Journal of the House, App., p. 600.]

Whereas it has been represented unto us that the Council and Assembly of our Province of New Hampsh[r] have not hitherto settled any

certain sallary upon our Govrs thereof suitable to the dignity of that Post, notwithstanding coppys of our Instructions for that purpose have been laid before them: and whereas the Lords of the Comittee of our Privy Council and likewise our Commissioners for trade and Plantations have Reported that the Sallary payable to our Govr hath never been settled according to the Instruction given to our former Govornors nothwithstanding it has been earnestly recommended to the said Council & assembly in our name to pass acts for that purpose, but that instead thereof they have from time to time made them such allowances and in such proportions as they themselves have thought our Governors have Deserved in order thereby to make our said Governor the more dependent upon them, which proceedings of the said councill and assembly of our said Province in not paying a due regard to the Royal Pleasure of the crown so often signified to them, wee cannot but look upon as a neglect of their Duty to us in that behalfe, and and as wee judge it highly reasonable & necessary That a Due provision should be made for the support of our Govr of our said Province as hath been made for our other governors of our Plants in America, which have been much less able to grant the same than our Province of New-hampshire: our will and pleasure therefore is, and wee do hereby direct and require you to acquaint the Councill & Assembly of our said Province of New Hampshire that as they hope to recommend themselves to the continuance of our Royal grace and favor they must manifest the same by an immediate complyance with what has been so often recommended to them in forthwith passing acts to establish a fix'd and honble sallary for the supporting and maintaining the Dignity of our Govr or commander in chief for the time being: and wee deem a competent sum for that purpose to be at least two hundred pounds sterling pr annum from our said Province of New Hampshire and in case the said Councill and Assembly shall not pay a Due & Imediate regard to our Royal will & pleasure hereby signified, wee shall look upon it as a mannifest mark of their undutiful behavior to us and such as may require the consideration of the Legislature in what manner the honour & Dignity of our Government ought to be supported in our said Province for the future.

A true copy of his Majesty's thirtieth Instruction, to his Excellency, Govr Burnet bearing date at St James the 28th day of March in the first yeare of his Majties Reigne.

Certifyed pr Richd Waldron Clr Con.

A true copy of the Instruction sent down. Examined pr

James Jeffry, Cler assm.

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[p. 3.] Prov. of N. Hampr At a General Assembly held at Portsmo by Adjt Thursday April 24th 1729.

Present

His Excellency William Burnet Esq. Governor.

Shada Walton, Geo Jaffrey } Esqs. Richd Wibird, Joth Odiorne } Esqs.

Henry Sherburne Esq.

A message to the Board by Capt. Walker wth a vote for a

Comitte of Audit viz. Messrs. Weare Atkinson and Thing. The Council concurred & appointed Messrs Wibird Odiorne and Sherburne to joyn in the said service.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Prov. N. Hamp$^{r}$.

At a Gen$^{l}$ Assem held at Portsm$^{o}$ by Adj$^{t}$ Fryday April 25 1729

Present

His Excellency William Burnet Esq. Governor

Shad$^{a}$ Walton, Geo Jaffrey } Esqs. Rich$^{d}$ Wibird, Joth Odiorne } Esqs

Henry Sherburne Esq.

Capt. Paul Wentworth Preferr'd a Petition for a Parish in y$^{e}$ North East part of Dover read & sent down by y$^{e}$ Cler:

A message to the Board by Messrs Pierce & Walker w$^{th}$ a vote for postponing y$^{e}$ payment of the outstanding part of the 15000 lb loan.

At the request of the House,

Adj$^{d}$ til Tuesday next.

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Prov. of N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by Adj$^{t}$ Tuesday April 29$^{th}$ 1729.

[Present as before]

Adj$^{d}$ til tomorrow, 10 o'clock, A. M.

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[P. 4.] Prov. of N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by Adjournm$^{t}$ Wednesday April 30 1729

Present

His Excellency William Burnet Esq Gov$^{r}$

Shad$^{a}$ Walton, Geo: Jaffrey } Esqs Joth Odiorne, Henry Sherburne } Esqs.

Several Quakers Preferr'd a Petition in behalf of themselves and their friends at Dover praying to be Exempted from gathering the Ministers' rates as Constables read and sent down.

A message to the Board by Messrs Stevens & Sanburn w^th a vote for a Committee to consider of means to ease the borderers on the Divisional line of y^e two Provinces occasioned by Easman's & Hazen's Petition on file.

A message to the Board by Messrs Dennet & Jennis with the following vote:

In the house of Representatives Ap^r 30^th 1729.

Voted That Capt. Joshua Peirce be the Recorder of Deeds and Conveyances for the Province of New Hampshire for one year from the date hereof and until the next sitting of the Assembly after the year is up and that the said Recorder enter upon the several deeds he records and coppys that he gives out the price he takes for doing the same

James Jeffry Cler Assm

In Coun^l Eod die

Read and Concurr'd.

R. Waldron Cler Con.

Mr. McKeen prefer'd a Petition signed by y^e Selectmen of Derry praying relief ag^st the incroachments of Haverhil People.

Capt Geo: Walker prefer'd a Petition Praying for an Act to Dock an intail &c.

Read and sent down.

Adj. til tomorrow, 10 o'clock, A. M.

*Madam Vaughan's Letter to Gov'r & Council.*

[From MS. Corr. in Secretary's office, vol. I, p. 59.]

*May it please your Ex'll and the Hon'ble Council —*

As relating to the affaire betwixt my son and Capt. Walker, I am bold to say that in justice to Capt Walker and out of the respect which the family bears him, my son Wm. Vaughan myself nor any of the Family will oppose the Entail being taken of the Pasture Lands att the Bank, reserving one thousand pounds worth to the five youngest children, according to Col. Vaughan D^d his will; and if he'l be satisfied therewith the whole family will concur with him in a Pet^n to that end and myself will renounce my thirds and my children their Reversionary Right which Providence has given them. By my daughter I have sent a Pet^n to your Ex^ll and the Hon^ble Council Bord, which I would have sooner done but that I believe the Attorneys are Engaged by the other side & Refused to act in the matter in my Favour. Your Justice as I am a helpless woman I hope will shield me and my distressed children from the designs of unreasonable people.

In confidence of which I rest,

Your Ex^ll and the Hon^ble Councill

most obedient Humble servant

Eliz^a Vaughan

To his Ex^ll Will^m Burnet, Esq. Governor & Commander in chief of the Province of N. Hampshire and the Hon'^ble Council.

Prov: of N. Hamp$^{r}$.

At a Gen$^{l}$ Assem. by Adj. Thursday, May 1$^{st}$, 1729,

Present

His Excellency William Burnet, Esq. Gov$^{r}$.

Shad$^{a}$ Walton, Geo. Jaffrey } Esqs

Rich$^{d}$ Wibird, Jo. Odiorne, H. Sherburne } Esqs.

Tamesin Tibbets Petition, as on file read and dismissed.

[p. 5.] Martha Rawlins Petition read, & the Gen$^{l}$ Assem Pray the Gov$^{r}$ to recommend her to the Charity of the People.

Eleas$^{r}$ Wier Presented a Petition praying for an order to revive an order of Gen$^{l}$ Assembly pass$^{d}$ y$^{e}$ 25$^{th}$ of April last for a hearing on a Petition of Cap$^{t}$ Paul Wentworth & others.

A Message to his Excellency from the House by Messrs Gerrish Sanburn and Stevens with an answer to his Excellency's Speech w$^{ch}$ his Excellency was pleased to take to himself(1).

A Message to the Board by Messrs Peirce Walker Tibbets and Winget w$^{th}$ a vote for settling a Salary of £200 ster$^{g}$ on y$^{e}$ Gov$^{r}$ for three years.

Adj$^{d}$ Til To morrow, 10 o'clock A. M.

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Pro: N Hamp$^{r}$

At a Gen$^{l}$ Assem. held at Portsm$^{o}$ by Adj. Fryday May 2$^{d}$ 1729.

Present

His Excellency William Burnet Esq Gov$^{r}$

His Hon$^{r}$ John Wentworth Esq Lt. Gov$^{r}$

Shad$^{a}$ Walton, Geo: Jaffrey } Esq$^{s}$.

Rich$^{d}$ Wibird, Joth Odiorn, } Esqs.

Henry Sherburne Esq.

A Message from his Excellency to the House by the Clerk as follows—

*Gent'm*

I find there was a fixed Salary settled on governor Dudley during his continuance in this goverment and you may believe that I cannot think his Majesty's Instructions comply'd with by an offer which expresses less confidence in the Present Administration than has been already shewn in a former one.

A message to the House by Messrs. Jaffrey and Wibird

(1) This Answer is not found on record. Ed.

w^th^ the vote of the House sent up yesterday concurrd w^th^ an Amendment.

The Committee appointed Ap^r^ 30^th^ last to consider of y^e^ Petition of Eben^r^ Easman & Rich^d^ Hazzen in regard to y^e^ difference ab^t^ the Divisional line of y^e^ two Provinces made their Report y^t^ nothing could be done in that affair as they apprehended—as on file.

Adj^d^ til to morrow 10 o'clock A. M.

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[P. 6.] Pro: N. Hamp^r^

At a Gen^l^ Assembly held at Portsm^o^ by Adj^t^ Saturday, May 3^d^ 1729.

Present

His Excellency William Burnet Esq Gov^r^

Shad^a^ Walton, Geo: Jaffrey } Esqs. Rich^d^ Wibird, Joth Odiorne } Esqs.

Henry Sherburne Esq.

A message to the Board by Messrs. Winget & Stevens w^th^ the appointm^t^ of a Committee to receive the Records Papers &c. & Deliver to Mr. Recorder Peirce.

Adj^d^ til Tuesday next at 10 o'clock A. M.

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Pro: of N. Hamp^r^

At a General Assembly held at Portsmouth by Adj^t^ Tuesday May 6^th^ 1729.

Present

His Excellency William Burnet Esq Governor

His Hon^r^ John Wentworth Esq. L^t^ Governor

Shad^a^ Walton, Geo: Jaffrey, Tho^s^ Westbrook } Esqs. Rich^d^ Wibird, Joth Odiorne, Hen: Sherburne } Esqs.

The Rev^d^ Mr Hugh Adams presented a Petition(1) praying for some remedy in regard to y^e^ debasedness of y^e^ paper Currency &c.

The Committee appointed a Saturday last to deliver y^e^ Records to Mr Peirce did so & produced a rec^t^ for y^e^ Same as on file.

Mr Geo Walton Preferr'd a Petition to the Board praying for himself and the children and grand children of the late

(1) This Petition not now to be found. Ed.

Gov^r Allen That the Conditions of a grant of land made to them by the Gov^r and Council Anno 1722 may be dispensed with so far [p. 7] as that the Petitioners have the time of settlement lengthened out for y^e space of ten years next after the expiration of the term mentioned in the Grant and that the Petitioners have liberty to take out a Patent accordingly.

Upon the Petition of the Select-men of Derry Preferr'd the 30^th April last. It is ordered that the affair be laid before the Goverm^t of the Mass^a Bay with the desire of this Board that they will be pleased to take y^e matter into consideration and give direction for preventing any further improvm^t on the controversial lands for the present. The Copys of y^e papers were D^d y^e Gov^r accordingly.

A Message to the House by the Clerk w^th an Instruction about Private Acts passing.

*Instruction ye 24th*

[Copied from Journal of the House, App., p. 599.]

The Governors Instructions sent into the house to be copied.

You are alsoe to take care that no Private act be passed in which there is not a saving of the Right of us our heirs & Success^rs all Bodeys Publick & Corporate, and of all other Persons Except such as are mentioned in the s^d act and those claiming by from or under them:

And further you shall take care that no such private act be passed without a Clause suspending the Execution thereof, untill the same shall have received our Royall approbation: It is likewise our will and pleasure, That you do not give your assent to any Private act untill proof be made before you in Councill (and Entred in the Councill Books) That Publick notification was made of the Parties Intention to apply for such act in the several parrish Churches where the premises in Question lye for three Sundys at least successively before any such shall be Bro't into the Assembly.

True copy of his Maj^ties Twenty-fourth Instruction to his Excellencie Gov^r Burnet, dated at the Court of S^t James 28^th March 1728.
Examined by Ric^h Waldron Cler Con.

A true Copie of the Instruction sent down pr Mr. Cler Waldron May the 7^th 1729 : Examine pr Jas. Jeffry Cler Ass^m

A Message to the Board by Messrs. Winget & Jennis w^th the following vote.

In the House of Representatives May 7^th 1729.

Voted—That Capt Joshua Peirce and Mr. Eph^a Dennet be a Committee of this House to joyn with a Committe of the Upper house to account with and receive from the six Trustees (for Exch^a the 5384£ old Cypher'd bills) That yet

remains in their several hands changed or unchanged and that they make return to the gen$^{l}$ Assembly of their doings.

James Jeffry Cle$^{r}$ Asse$^{m}$

In Coun Eod die.

Read and Concurred—and Messrs. Odiorne and Sherburne appointed for the service above.

R. Waldron Cler Con.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at Portsmouth by Adj$^{t}$ Thursday May 8$^{th}$ 1729.

Present

His Excellency William Burnet Esq Govern$^{r}$

His Hon$^{r}$ John Wentworth Esq Lt. Governor

Shad$^{a}$ Walton, Geo. Jaffrey, Tho$^{s}$ Westbrook } Esqs

Rich$^{d}$ Wibird, Joth Odiorne, Hen: Sherburne } Esqs.

[P. 8.] A message from his Excellency by Mr. Jaffry to recommend dispatch to the house.

Rich$^{d}$ Ward Prison-keeper presented a Petition Praying for an additional allowance for Prisoners board read and voted an addition of 18*d* per week and sent down.

A Message to the Board by Messrs. Thing and Sanburn w$^{th}$ a vote for non-concurring the amendment of the Board sent down y$^{e}$ 2$^{d}$ inst relating to the settlem$^{t}$ of a Sallary on the Governor.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Pro: N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by Adj$^{t}$ Fryday May 9$^{th}$ 1729.

Present

His Excellency William Burnet Esq Govern$^{r}$.

His Hon$^{r}$ John Wentworth Esq Lt. Gov$^{r}$.

Shad$^{a}$ Walton, Geo: Jaffrey, Tho$^{s}$ Westbrook } Esqs.

Rich$^{d}$ Wibird, Joth Odiorne, Henry Sherburne } Esqs

A message to the House by Messrs Jaffrey Westbrook and Sherburne to recommend to them a reconsideration of the Council's amendment of their vote for settling a salary on his Excellency the Governor.

Ordered, That Mr. Adams Petition Presented and read on Wednesday the 7th curr$^{t}$ be dismissed.

A Message to the Board by Messrs Atkinson Dennit Mathes and Stevens to pray liberty to retract their vote for settling a Salary on the Governor for three years sent up y$^{e}$ 1st curr$^{t}$, who presented in the room thereof another for settling the salary for three years or during his Excell$^{cys}$ continuing Governor as comprehended in y$^{e}$ Salary Act.

Ordered in both Houses That a Bill be prepared for collecting the present years tax by the last years proportion

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Pro: N. Hamp$^{r}$.

At a General Assembly held at Portsm$^{o}$ by Adj$^{t}$ Saturday May 10 1729.

Present

| The Gov$^{r}$. | | The Lt. Gov$^{r}$. | |
|---|---|---|---|
| Shad$^{a}$ Walton | } Esqs | Rich$^{d}$ Wibird | } Esqs. |
| George Jaffrey | | John Frost [1] | |
| Tho$^{s}$ Westbrook | | Joth Odiorne | |

H. Sherburne, Esq.

[P. 9.] A message to the Board by Messrs Stevens & Sanborn with the following votes and allowances viz:

A vote of the House Desiring the Gov$^{r}$ to forbid the Powd$^{r}$ Receiver to receive any Powd$^{r}$ from the Coasting Sloops.

Vote for a Committee to draw y$^{e}$ Salary Bill:

In the House of Representatives May 9 1729.

Voted That there be paid out of the Publick Treasury the sum of Eighteen pounds fifteen shillings for one year & quarter, and nine pounds for the return of Jurors for the same time which ends the last day of April 1729.

Jam$^{s}$ Jeffry Cler Assem.

In Coun$^{l}$ May 10th 1729.

Read and concurred.

R Waldron Cler Con

[1] John Frost was son of Major Charles Frost, who was killed by the Indians at Kittery, July 4, 1697. (See Farm. Belk. p. 143.) He was born March 1, 1682. His wife was Mary, sister of Sir William Pepperill. She married, successively, Rev. Benjamin Colman, D. D., of Boston, and Rev. Benjamin Prescott, of Danvers, Ms., and died in 1766. Councilor Frost had seventeen children. George, the eleventh child and the sixth son, was a councilor three years in the time of the Revolution, and a delegate to the old Congress. [*Farm. Belk.* App. p. 411–12.] Ed.

In the House of Representatives May 9th 1729.

Voted That James Jeffry be paid out of the Publick Treasury the sum of fifteen pounds for his service as Cler: of ye Assem from 19 Nov. 1727 to ye 19 Novr 1728.

Jams Jeffrey Cler Assem.

In Coun May 10th 1729.

Read and Concur'd.

R Waldron Cler Con.

A message to the Board by Messrs Walker and Capt Mathes wth a vote for Postponing ye outstanding part of ye £15000 wth some additions to it as it was sent up ye 25 Currt wch the Council concur'd as on file—wch is comprehended in the Act &c.

Adjd til Monday next 10 o'clock A. M.

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Pro: N. Hampr.

At a Genl Assem held at Portsmo by adjornmt Monday May 12th 1729.

Present

His Excellency William Burnet Esq Govr.

His Honr. John Wentworth, Esq Lt Governr.

| | | | |
|---|---|---|---|
| Shada Walton<br>Geo: Jaffrey<br>Richd Wibird | Esqs | John Frost<br>Joth Odiorne<br>Hen Sherburne | Esqs |

The Select men of Rye prefer'd a Petition Praying for a line between them & Hampton. Read & sent down.

Adjd til tomorrow, 10 o'clock A. M.

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[P. 10.] Prov N. Hampr.

At a General assembly held at Portsmouth by adjournmt Tuesday May 13th 1729.

Present

His Excellency William Burnet Esq Govr.

His Honor John Wentworth Esq Lt Govr.

| | | | |
|---|---|---|---|
| Shada Walton<br>Geo: Jaffrey<br>R Wibird | Esqs | John Frost<br>Joth Odiorn<br>Hen Sherburne | Esqs |

A message to the Board by Messrs Dennet & Jennes wth the auditors report as follows:

| | | |
|---|---|---|
| No. 1. | Allowed John Robinson for work at Fort, | £56: 3:6 |
| 2. | To Thos Packer for fire and candles to be deducted out of ye agreemt wth Packer | £ 5: 0:6 |

| | | |
|---|---|---|
| No. 3. | To John Sherburne for work at y^e^ Fort | £ 2: 7:0 |
| 4. | To Jno. Trundy for dieting Robinson & son | £ 2: 8:0 |
| 5. | To Josh^a^ Wingat for entertainment in receiving the Governor | £ 9:12:1 |
| 6. | To Steph^n^ Greenleaf for tobacco for Ind^ns^ | £ 0:10:0 |
| 7. | To Benj^a^ Akerman as doorkeeper | £10: 0:0 |
| 8. | To Rich^d^ Perry for Iron at y^e^ Fort | £17:13:0 |
| 9. | To Jno Culberson fetching Timb^r^ & Plank | £10: 4:6 |
| 10. | To Walt^r^ Warren for work at y^e^ Prison in 1727 | £ 2: 0:0 |
| 11. | To Ditto for ditto work 1728 | £ 6:13:0 |
| 12. | To Sam^l^ White for work at y^e^ Prison 1728 | £ 3:18:2 |
| 13. | To Tho Hamet for canvas for fort boat | £ 1: 7:0 |
| 14. | To Clem^t^ Hughes abatem^t^ Excise for 1728 | £ 6: 1:4 |

Nath^l^ Weare — R Wibird
Theo Atkinson — H Sherburne
Bart^a^ Thing

In the house of Representatives May 13 1729.

Voted—That the above report be accepted, and that the several Persons be paid out of the Publick Treasury the several sums as carryd off.

Ja^s^ Jeffry Cle^r^ ass^m^

In Council Eod Die.

Read and concurr'd.

R Waldron Cler Con.

A Message to the House by Messrs Jaffry Odiorne & Sherburne w^th^ a vote of Coun for an Agent.

[P. 11.] A Message to the Board by Mr Atkinson w^th^ the Salary bill pass'd to be Engross'd.

A Message to the Board by Messrs Wingat & Tibbets w^th^ a vote for Mr Dennet to collect the Interest of the 1700£ w^ch^ was sent back for amendment.

Adj^d^ til tomorrow 10 o'clock A. M.

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Pro: N Hamp^r^

At a general Assembly held at Portsmouth by adjournment Wednesday May 14 1729.

Present

His Excellency William Burnet Esq Gov^r^
His Hon^r^ John Wentworth Esq Lt Gov^r^

Shad^a^ Walton, Geo. Jaffrey, Rich^d^ Wibird } Esqs
John Frost, Joth Odiorne, H Sherburne } Esqs

Several Bills sent up by Messrs Atkinson Stevens & Sandburn pass'd to be Engross'd.

His Excellency was pleased to declare in Councill that he freely quited to the Lieut Gov$^{r}$ one third part of the Salary to be settled on him by a revenue act to be paid half yearly out of y$^{e}$ Treasury and ordered that warrants be Issued out accordingly for two thirds to himself and the remaining third part to his Hon$^{r}$ desiring the continuance of the s$^{d}$ act.

A Message to the House by Col Walton & Capt Sherburne w$^{th}$ y$^{e}$ votes of y$^{e}$ house for fixing 2½ per cent allowance to y$^{e}$ Trustees for Exchanging &c & appointing Mr Dennet Coll$^{r}$ of y$^{e}$ 1700£ Interest both non-concurr'd.

A Message to the Board by Cap$^{t}$ Tibbits with a vote of the House for adhering to their former vote of 2½ per cent for y$^{e}$ Trustees.

Mr Frost from the Committee reported a bill for re-emitting y$^{e}$ 1076£ now in the Treasury w$^{ch}$ was past to be Engross'd.

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

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[P. 12.] Pro: of N. Hamp$^{r}$.

At a Gen$^{l}$. Assem held at Portsm$^{o}$ by Adj$^{t}$ Thursday May 15 1729.

Present

His Excellency William Burnet Esq Gov$^{r}$.

His Hon$^{r}$ John Wentworth Esq. Lt Gov$^{r}$.

Shad$^{a}$ Walton, Geo: Jaffrey, Tho$^{s}$ Westbrook } Esqs.

Rich$^{d}$ Wibird, Jno Frost, Joth Odiorne } Esqs.

A Message to the Board by Messrs Peirce Gerrish and Stevens with the following vote.

In the House of Represent$^{s}$ May 15$^{th}$ 1729,

Voted That his Hon$^{r}$ the Lieut Gov$^{r}$ be paid out of the Excise now due the sum of one hundred pounds as Commander-in-chief from May 1728 to the time of the new settlement in November last past

Jam Jeffrey Clcr assem.

In Coun Eod die

Read and Concurred.

R Waldron Clcr Con.

A message to the Board by Messrs Peirce Atkinson Dennet and Sanburn with the following allowances and votes pass$^{d}$ in both Houses:

To Rich[d] Waldron for one year as Cler Con. ending 25[th] April 1729, £75: 0: 0
To Hen. Sherburn Innhold[r] for Pūb. Expences, 3: 0: 0
To Benj[a] Rust for a year & half's house rent fire &c. ending y[e] 10[th] April last, £24: 6: 6 being deducted for Mr. Packer for wood & candles, —————————— £17: 19: 6
May 15 1729 allow'd. Jam Jeffry Clr Ass.

In Coun Eod die.
Concurr'd. R Waldron Cler Con.

Whereas the affair of the Boundary lines between this and the Province of the Mass[a] and the Stores for his Majestys Fort William and Mary that have been so long solicited for are yet depending before the King in Council, and the issuing thereof has in a great measure been prevented for want of the agents being enabled to prosecute the same and his Commission being now determined:

[p. 13.] Voted That his Excellency be desired to Commissionate Mr Henry Newman our former Agent for this Province and that the sum of one hundred pounds sterling be sent to said Newman to enable him to prosecute the above affairs and any other matter that relates to this Province.
May 13: 1729. R Waldron Cler: Con.

In the House of Represen[ts].
May 15, 1729.

The above vote read and Concurr'd with this amendment That instead of one hundred pounds sterling to be sent to said Agent, that the money due to the Province in the hands of Mr John Penhallow together with the interest due on the several bonds given for the 1730 be appropriated for the use aforesaid.

J. Jeffrey Cler Assem

Eod die In the House

Read and re-considered and voted that two hundred pounds this currency or the value thereof sterling be sent to our agent and the debt and interest above mentioned be appropriated to that use, and that the Treasurer be directed and impower'd to sue for the same.

Jam Jeffrey Cler assem.

In Coun Eod die.
Read and concurr'd.

R Waldron Cler Con.

In the House of Represen[ts].
May 15[th] 1729.

Voted That Theod[re] Atkinson Esq and Mr Eph[a] Dennit

be of the Committe from this House to joyn with a Committe of the Upper house to write Mr Agent Newman and give him further Instructions about the lines and stores.

J Jeffrey Cler assem.

In Coun Eod die
Read and Concurr'd.

R Waldron Cler: Con.

In the House of Represent$^{s}$
May 15$^{th}$ 1729,

Voted, That Mr Theo: Atkinson be a Trustee from this House to joyn with one to be [p. 14] appointed above to receive from the former Trustees the money that remains in their hands with what is already received from them for Exchanging the old cypher'd bills, and that they be allowed two and half per cent for what shall be exchang'd by them til further order.

J Jeffry Cler Assem.

In Coun Eod die
Read and concurr'd R Waldron Cler Con.

In the House of Represen$^{ts}$
May 15 1729,

Voted That Theodore Atkinson Esq and Mr. Joshua Peirce be a Committee of this House to joyn with a Committee of the upper house to let out the Excise of this Province for any term not exceeding three years to the highest bidder, and that they take sufficient security payable every year to the Treasurer.

J Jeffrey Cler assem.

In Coun Eod die
Read and concurr'd and Messrs Wibird & Sherburne are appointed to joyn in the service above.

R. Waldron Cler Con.

In the House of Represen$^{ts}$ May 15 1729.

Voted—That the five hundred pounds due from sundry Inhabitants of the Town of Kingston which was let out at three per cent per annum be received by the Grand Comitte in three payments as per the late act is provided for those that are indebted for the fifteen thousand pounds and that instead of the 3 pr ct pr an each person pay ten per cent on the whole sum each person received of the said mony, and

that the mony so received be put into the Treasury from time to time as it shall be received.

Jam Jeffry Cler Assem

In Coun Eod die

Read and concurr'd. R. Waldron Cler Con.

In the House of Represent$^{s}$ May 15, 1729

Voted—That Nath$^{l}$ Weare and Theod$^{re}$ Atkinson Esqs and Cap$^{t}$ Josh$^{a}$ Peirce be of [p. 15] the Committe from this house to joyn with a Committe of the upper House to meet the Committe that may be appointed by the Province of the Mass$^{a}$ Bay to run the west line from three miles to the northward of the mouth of Merimack river & to run as far west for the present as the town of Dunstable the west side the river that runs down into Merimack.

Jam Jeffry Cler Assem

In Coun Eod die

Read and Concurr'd and Messrs. Walton & Jaffrey appointed to joyn with the gentlemen above for the service above. R Waldron Cler Con

In the House of Represent$^{s}$ May 15$^{th}$ 1729.

Voted—That the Treasurer shall receive the present year's tax from the several Constables in this Province in any Passable bills of Credit of any other Province as well as the bills of this Province.

Jam: Jeffry Cler Assem

In Coun Eod die

Read and Concurred.

R. Waldron Cler Con

In the House of Represent$^{s}$ May 15 1729.

Voted—That his Excellency be desired to direct the King's Attorney to put the bonds given for payment of the Excise in suit in case the ballance due thereon be not paid in a months time from the rising of the Present Assembly.

Jam Jeffry Cler Assem

In Coun Eod die

Read and Concurred. R. Waldron Cler Con

Mr. Treasurer Jaffrey's Gen$^{l}$ Acct Currant was this day settled w$^{th}$ the Gen$^{l}$ Assembly & the ballance due to the said Treasurer thereby is £231 : 13 : 9 as at large on file.

His Excellency was pleased to communicate his 30$^{th}$ In-

struction to the Board, relating to appeals to y^e^ Gov^r^ & Council w^ch^ was ordered to be filed.

[p. 16.] Cap^t^ Penhallow preferr^d^ a Petition praying for an allowance out of the Treasury w^ch^ was read & sent down and return'd w^th^ a vote to be dismiss'd and Cap^t^ Walton and Mr. Atkinson are desired to acquaint Mr. Penhallow with the reasons thereof.

Shad Rogers presents a petition praying for an allowance for Col^o^ Dudley's expences &c Ordered to lye for consideration til y^e^ next session.

A message to the House by the Cler to require their attend^a^ at the Council Board the Speaker and House came up accordingly and the several Bills whose Titles are hereafter mentioned having had their several readings in both Houses and being pass'd to be Enacted were sign'd & sealed in Presence of the Gen^l^ Assembly—namely

1^st^. An act for settling a Salary of two hundred pounds sterl^g^ or six hundred pounds Province Bills pr annum on his Excellency William Burnet Esq Governor & Comand^r^ in Chief in and over the Province aforesaid to and for the support of the same

2^d^. An act In addition to an act entituled an Act for the making and emitting the Sum of fifteen thousand pounds in bills of credit &c and for the postponing the paym^ts^ therein mentioned.

3^rd^. An act for Postponing the payment of one thousand & seventy six pounds & sixteen shillings.

4^th^. An act in addition to an act made and passed for the better securing the Payment of Prison charges.

5^th^. An act for Establishing the Proportion of the several Towns to be paid in the Province Tax for the year 1729.

Then his Excellency was pleased to Prorogue the Gen^l^ assembly and accordingly they were Prorogued til the second Thursday of Octob^r^ next

Further Prorogued by Proclamation til Tuesday Novemb^r^ 25^th^ 1729.

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[p. 17.] Pro of N. Hamp^r^.

At a general assembly held at Portsmouth by Prorogation Nov^r^ 25^th^ 1729.

Present

His Honor John Wentworth Esq^r^ Lt Gov^r^.

Shad^a^ Walton
Geo Jaffrey } Esqs
Joth Odiorne

Prorogued til the 9 of Dec^r^ next

Pro of N. Hamp$^{r}$.

At a gen$^{l}$ Assembly held at Portsmouth by Prorogation Tuesday Dec$^{r}$ 9$^{th}$ 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$.

Shad$^{a}$ Walton, Geo Jaffrey } Esqs — Rich$^{d}$ Wibird, Joth Odiorn } Esqs

H. Sherburne Esq.

A message to the House by the Clerk to require their attend$^{a}$ at the Council Board; they came accordingly to whom his Hon$^{r}$ was pleased to make a speech w$^{ch}$ was deliver'd to the Speaker and not return'd (1). Adj$^{d}$ til to-morrow 9 o'clock A. M.

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Pro of N. Hamp$^{r}$.

At a gen$^{l}$ assem held at Portsm$^{o}$ by Adj$^{t}$ Wednesday Dec. 10$^{th}$ 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$

Shad$^{a}$ Walton, Geo Jaffrey } Esqs — Ric$^{d}$ Wibird, Joth Odiorne } Esqs

H Sherburne Esq.

Mr Jos: Jones preferr'd a Petition to the Board directed to the Gen$^{l}$ assembly, praying that he and sundry others might not be sett off to Cochecho Parish read and sent down.

A Message to the Board by Cap$^{t}$ Winget and Mr Goffe w$^{th}$ the Report of the Committee for dividing the town of Dover into three Parishes, together w$^{th}$ the Petition of Jos: Jones sent down in the morning both w$^{ch}$ were returned to be further consider'd of in the House.

[P. 18.] A message to the House by the Cler: Con. to require their attend$^{a}$ at the Council Board upon a Conferrence relating to the Report of the committee for dividing Dover &c. they attended accordingly and the matter being fully discoursed they withdrew, and then the Clerk was sent down w$^{th}$ a vote for granting leave to the Petitioners of the North-east part of Dover to bring in a Bill for incorporating them into a Parish.

Adj$^{d}$ til to morrow 10 o'clock A. M.

(1) "Not return'd"—The Journal of the house says, "Mr Speaker ob$^{t}$ [obtained] a Coppy & Returned." The Speech not now to be found.—Ed.

Pro of N. Hamp$^{r}$

At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adjournm$^{t}$ Dec 11$^{th}$ 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$.

Shad$^{a}$ Walton, Geo Jaffrey } Esqs  Ric$^{d}$ Wibird, Joth Odiorne } Esqs

Hen Sherburne Esq.

A message to the Board by Messrs Atkinson and Gerrish w$^{th}$ an answer to the Lt Gov$^{rs}$ Speech also the following vote.

In the House of Represent$^{s}$ Dec 11 1729.

Voted—That there be a committee of this House to joyn with a committee of the upper house to tell over the several Parcells of money now in the Treasury, to be burnt or repeated, and make their return to the Gen$^{l}$ assembly, and that Theo Atkinson Esq and Mr Eph$^{a}$ Dennet be the Committee from this Honse for that end.

Jam Jeffry Cler assem.

In Coun Eod die.

Read and concurred and Rich Wibird and Jotham Odiorne Esqrs appointed for the service above.

R Waldron Cler Con.

Adj$^{d}$ til to morrow 10 o'clock A. M.

Pro: of N. Hamp$^{r}$.

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At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adj$^{t}$ Fryday Dec. 12 1729.

Present

His Honor John Wentworth Esq Lt Gov$^{r}$.

Shad$^{a}$ Walton, Geo: Jaffrey } Esqs  Rich$^{d}$ Wibird, Joth Odiorne } Esqs

H Sherburne Esq.

[P. 19.] A message to the Board by Mr. Sanburn w$^{th}$ a vote for preparing a bill for next years Province rate to be paid by the present years proportion w$^{ch}$ was concurr'd.

Eben$^{r}$ Tuttle preferrd a Petition for docking an intail w$^{ch}$ was read and also Mad$^{m}$ Rogers Petition w$^{ch}$ has lain under consideration since last session and both sent down by the Clerk.

Capt Paul Wentworth by the leave of the Court presented a bill for Erecting A Parish in y$^{e}$ N East part of Dover Read past and sent down by the Clerk.

A message to the Board by Messrs Sanburn & Jennis with a vote of the House for re-emitting upon loan the bills now to be burnt.

By the same message Eben$^{r}$ Tuttles Petition (sent down in the morn) voted to be dismiss'd.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Pro: of N. Hamp$^{r}$.

At a General assembly held at Portsm$^{o}$. by Adj$^{t}$ Sathurday Dec 13$^{th}$ 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt. Gov$^{r}$.

Shad$^{a}$ Walton, Geo: Jaffrey } Esqs — Rich$^{d}$ Wibird, Joth Odiorne } Esqs

A message to the House by Geo: Jaffrey and Joth Odiorne Esqs with the vote of the House sent up yesterday for re-emitting some bills at loan non-concurred and to propose y$^{e}$ re-emission of a 1000£ for a Stat house.

A Message to y$^{e}$ Board w$^{th}$ Rye Petition & vote y$^{re}$on.

Adj$^{d}$ til Monday next 1 o'clock P. M.

Pro: of N. Hamp$^{r}$.

At a General Assembly held at Portsm$^{o}$ by adj$^{t}$ Monday Dec 15: 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$.

Geo: Jaffrey Esq & Joth Odiorne, Esq.

Adj$^{d}$ til tomorrow, 10 o'clock, A. M.

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[P. 20.] Pro: of N. Hamp$^{r}$.

At a Gen$^{l}$ assembly held at Portsm$^{o}$ by Adj$^{t}$ Tuesday Dec$^{r}$ 16 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$.

Shad$^{a}$ Walton, Geo: Jaffrey, Rich$^{d}$ Wibird } Esqs. — John Frost, Joth Odiorne, H Sherburne } Esqs.

A message to the House by Mr Odiorne with the Rye Petition & vote thereon to be reconsidered and amended.

A message to the Board by Messrs Goffe & Sanburne with the following allowances Pass'd in both Houses.

| | |
|---|---|
| To Theo. Atkinson Esq fetching Gov. Burnet's Commission from Boston | £ 9: 5: 0 |
| To John Robinson for Timbr & work at the Fort — — — | £32: 13: 6 |
| To Thos Harvey for Publick Expences | £ 3: 0: 0 |
| To Jams Jeffry for a years service as Cler Assem ending 19th Novr 1729 | £15: 0: 0 |

By the same message a vote for allowing Benja Rust for halfe a years house rent wch was sent back by the Clerk with orders to acquaint the House when the year shall expire the Board will consider of the allowance.

A message to the Board by Messrs. Dennit and Stevens wth Rye Petition and vote thereon likewise an allowance to Richd Perry & the Bill for erecting a new Parish in the N East part of Dover.

Capt. Paul Gerrish Preferr'd a Petition to the Genl assem signed by near three-score of ye Principal men in Dover praying an order to rectify some abuses suffer'd by Dover Town books of Records by the fault of the late Town Clerk as they apprehend which Petition obtained the following order.

In the House of Represents Dec. 16, 1729.

On the Petition of Capt Paul Gerrish and others,

Voted That the Clerk of the said town of Dover for the time being be hereby prohibited entering any old Comittee Grants that are suspected not to be legally obtain'd and to enter only such grants as have been or may be allowed by said Town or [p. 21] the Selectmen thereof until the next sitting of the General Assembly and that there be a Committee chosen by the General assembly to go to the Town Clerk for the time being who is hereby required to show unto such Committee such entrys matters and things as he or any of the said Town suppose to be done by ill practice, and the said Committee shall by virtue hereof summon before them all such persons that can give any light in Explaining any matters or things which they may see occasion to examine into for discovering the truth and detecting such vile practices and to give such Person or Persons their oaths and to make return of their doings therein to the Genl assembly next session, and that Nathl Weare Esq and Theo Atkinson Esq. be a Committee of this house to Joyn such as shall be appointed above for that end and that the Petitioners pay the charges.

Jam Jeffrey Cler Assem.

In Coun Dec 18, 1729.

Read and Concurr'd and Joth Odiorn & Henry Sherburne Esq$^{s}$ appointed for the service above.

R Waldron Cler Con.

Adj$^{d}$ 'til to morrow 9 o'clock, A. M.

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Prov: of N Hamp$^{r}$

At a Gen$^{l}$ Assembly held at Portsmouth by adj$^{t}$ Wednesday Dec 17, 1729.

Present

His Hon$^{r}$ John Wentworth Esq Lt. Gov$^{r}$

Shad$^{a}$ Walton, Geo: Jaffrey } Esqs. Rich$^{d}$ Wibird, Joth Odiorne } Esqs.

H Sherburne Esq.

A message to the Board by Messrs Peirce and Walker w$^{th}$ the following allowances and vote Pass'd both Houses.

To Tho$^{s}$ Packer for finding wood for the Judges of Sup$^{r}$ & Inf$^{r}$ Court £1:0:0

To Rich$^{d}$ Waldron for Extra service in preparing 2 sets of Commissions one in Gov. Burnet's, y$^{e}$ other in Lt. Gov$^{r}$ Went$^{s}$ name £34:18:0

[P. 22.] Whereas the Act of this Government for the settling a Salary upon Governor Burnet is by his death expired(1) and the Act for laying an Excise upon liquors having some reference to said Act for settling a salary w$^{ch}$ may cause some disputes whether the said Act is not also Expired: &c Therefore

In the House of Represent$^{s}$

Voted—That it was the intent and meaning of the Legislature that the said Excise Act so far as related to the Excise should be in force until three years from the Publication thereof.

Dec. 17: 1729. Jam$^{s}$: Jeffrey Cler Assem.

And that the mony collected by Virtue of the s$^{d}$ Act shall be from time to time applyed for the paying the allowances made by the general Court.

Dec 17 1729. Jam$^{s}$ Jeffrey Cler Assem

(1) Gov. Burnet's death, which occurred Sept. 7, 1729, was occasioned, it was said, by oversetting his carriage upon the causeway at Cambridge, Ms., when the tide was high. A violent cold and fever ensued. An interesting sketch of his life and character is found in Allen's Am. Biog. Dic. Ed.

In Coun Eod die
Read and Concurr'd. R. Waldron Cler Con.

In Coun Dec$^{r}$ 17 : 1729.

Ordered That whereas in the Charter of Gilmanton, It is express'd that the bounds of s$^{d}$ Town shall run from the head of Barnstead norwest two miles then west to Winnipishoky pond, which last point of West should have been Express'd North to the pond the same being so intended by the grantors and is hereby so Explain'd and declared.

R Waldron Cler Con.

A message to the Board by Messrs. Dennet, Sanburn and Stevens, w$^{th}$ the following allowances pass'd in both houses, and votes.

| | |
|---|---|
| To Solomon Cotton for Publick Expenses | £0:15:0 |
| To H. Sherburn Esq for Canvas for Fort boat | 2:12:6 |
| To Eph$^{a}$ Dennet for gathering interest mony, | 3: 0:0 |

By Mr. Dennet and Mr. Sanburne a vote of the House for raising 2½ per cent Interest on y$^{e}$ 1730£ to 6 pr. Cent.

A message to the Board by Mr. Jennes w$^{th}$ the Petition of y$^{e}$ Selectmen of Rye & votes thereon w$^{ch}$ was sent up y$^{e}$ 13$^{th}$ return'd y$^{e}$ 16$^{th}$ Instant for reconsideration as on file.

Adj$^{d}$ til tomorrow 10 o'clock, A. M.

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[P. 23.] Pro: of N. Hamp$^{r}$

At a General Assembly held at Portsmouth by Adj$^{t}$ Thursday Dec$^{r}$ 18$^{th}$ 1729.

Present

His Hon$^{r}$ John Wentworth Esq. Lt Governor.

| | | | |
|---|---|---|---|
| Geo Jaffrey<br>Shad Walton<br>Rich$^{d}$ Wibird | Esqs. | Jno. Frost<br>Joth Odiorne<br>H Sherburne | Esqs |

A message to the board by Mr Peirce w$^{th}$ a vote of allowance to Rich$^{d}$ Perry for Smith's work at the fort pass'd both houses for the sum of £6 : — : 8

By the same Message a Bill for reviveing the Trespass Act.

A message to the House by Messrs. Jaffrey and Odiorne w$^{th}$ the vote sent up yesterday for advancing y$^{e}$ 2½ to 6 pr Cent to be reconsidered, which was immediately bro't back again but is not concurr'd

Adj$^{d}$ til tomorrow 10 o'clock A. M.

Pro: of N. Hamp[r]

At a Gen[l] Assembly held at Portsmouth by Adj[d] Fryday Dec[r] 19, 1729.

Present

His Hon[r] John Wentworth Esq Lt Gov[r]

Shad[a] Walton, Geo: Jaffrey } Esqs

Rich[d] Wibird, Joth Odiorne } Esqs.

H Sherburne Esq.

Mr. Eben[r] Stevens Preferr'd to the Board praying in behalf of the Proprietors of Kingston for a confirmation and Explanation of their Town Bounds which was read and order'd to lye for consideration til y[e] Petitioner lay a Plat of y[e] Township before the Board.

A message to the Board by Messrs Walker & Stevens with the following votes & allowances pass'd both Houses.

To Eleaz[r] Russell for Paper books, &c. for the Publick £9:6:2.

A vote for re-emitting seven hundred pounds &c. as comprehended in the Act.

[p. 24.] A message to the House by the clerk to require their attend[a] at the Council Board the Speaker and House came up accordingly and the several Bills whose titles are hereafter mentioned having had their several readings in both Houses & been pass'd the same were signed and sealed in the Presence of the general assembly: viz.

1st. An act for reviving and further continuing an act made and past the 12 day of December 1724, entituled an act in addition to an act made in the 13 year of the reign of King William the Third Entituled an Act against Trespasses in Town Commons and an Act made in y[e] sixth year of Queen Ann Entituled an Act to prevent Trespasses.

2d. An act for Establishing the Proportion of the several Towns to be paid into the Treasury in the Province tax for the year 1730.

3d. An act for Postponing the payment of seven hundred Pounds.

4th. An Act for setting of the Northeast end of the Town of Dover, and Erecting a Parish by the name of Summersworth.

Then His Hon[r] was pleased to Prorogue the General Assembly and accordingly they were

PROROGUED.

To the last Tuesday in May next.

[p. 25.] Pro: of N. Hamp$^{r}$

At a Gen$^{l}$ Assembly especially Convened (upon Expectation of the arrival of Gov$^{r}$ Belcher) April 23$^{d}$ 1730.

Present,

His Hon$^{r}$ John Wentworth Esq Lt. Gov$^{r}$

Shad$^{a}$ Walton, Geo: Jaffrey, } Esqs — Rich$^{d}$ Wibird, Joth Odiorn } Esqs.

Henry Sherburne Esq.

His Hon$^{r}$ the Lieut Gov$^{r}$ made a Speech to the House of Representatives who being sent for attended at the Board, the substance of which was a recommend$^{a}$ of making suitable provision for the Gov$^{rs}$ reception and entertainment. It was deliver'd the speaker & not return'd.

A message to the Board w$^{th}$ the following vote.

In the House of Represen$^{ts}$ April 23$^{d}$ 1730.

It is the advice of the House, That the Expences of his Honor the Lieut Gov$^{r}$ and the two gentlemen of the Council that intend to wait on his Excellency after his arrival at Boston that their Expences be paid out of the Publick Treasury and also that the Expences of the General Assem and Council that shall wait upon his Excellency at his arrival into this Province as far as at the line be paid out of the Publick Treasury and that Theo. Atkinson, Esq$^{r}$, and Mr. Eph$^{a}$ Dennet be of the Committe from this House to Provide for the Entertainment of his Excellency at his arrival here, and to do it after they hear of his arrival at Boston and that the Treasurer supply them with momy.

Jam Jeffry Cler Assm.

In Coun Eod die

Read and Concurred. R. Waldron Cler Con.

Prorogued Til 25$^{th}$ August next.

# ADMINISTRATION

OF

# GOVERNOR JONATHAN BELCHER.

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*Journal of the House from 25 August, 1730, to October 20, 1737.*

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## NOTE BY THE EDITOR.

The Records which relate to the Administration of Governor Jonathan Belcher are contained in the "Journal of the Council and Assembly," in the Secretary's office, from August 25th, 1730, to March 18, 1741; also in the "Journal of the House" from August 25th, 1730, to February 25th, 1740. It will be noted that after the first year of Gov. Belcher's administration, the records of the Council and Assembly are comparatively scanty and imperfect, while on the other hand the records of the House of Representatives are full and complete. The reason of this seems to be that so long as the controversy was pending respecting the Boundary Lines between the Provinces of New-Hampshire and Massachusetts, the House was obliged to take the lead in all active measures in relation to that end. The Governor and Council, though professedly desirous of settling the boundaries, yet did not often concur in the measures proposed by the House: consequently the latter body was obliged to act in many cases independently, and at last gained their object, only by appeal to his Majesty in Council. In presenting therefore the Records of this period, 1730–1741, the Editor has thought best first to print the "*Journal of the House*" entire, with the Governor's Speeches and the Answers thereto; and to annex the "*Journal of the Council and Assembly*," containing all matters *not included* in the Journal of the House. By adopting this method, we avoid repeating in print the matter which is common to both Journals.

The Editor would also note that in the bound MS. volume containing the "Journal of the House, 1724–1743," there is a duplicate record of the proceedings of the House during a portion of Gov. Belcher's administration: the first extends from p. 175 to p. 304: the second from

p. 305 to p. 528. The latter is a copy mostly in the hand writing of the late John Farmer, Esq., who was employed to collect, arrange and copy the original records and files in the Secretary's office. In commencing a copy of the Journal of the House, in Gov. Belcher's time, 1737, Mr. Farmer says, in a note, "A portion of the following Records is contained in the last 129 pages [i. e. of the MS. vol.], but it will be perceived that many things are omitted in the preceding pages from 25 Aug. 1730, particularly the Messages and Speeches of Gov: Belcher, and the Answers of the House to them, which will be found in the following new transcript—faithfully copied from a Record of large folio size, of 110 pages in sheets unbound." The Editor has followed the transcript made by Mr. Farmer.

[p. 307.] Anno Regni Regis Georgii Secundi, Magnæ Britanniæ, Franciæ, et Heberniæ de Quarto.

A Journal of the House of Representatives of his Majestie's Province of New Hampshire in New England, began and held at Portsmouth, in the Province aforesaid, August the 25th Anno Dom. 1730.

Tuesday August the 25th 1730. The House met according to Prorogation by Proclamation of the Honble John Wentworth, Esq. Livt Governor and Commander in chief in and over said Province.

The persons that represented the several Towns in Genll Assembly are as follows, viz.

| | |
|---|---|
| For Stretham | Andrew Wiggin, Esq. Speaker |
| Portsmouth | Joshua Pierce, Esq<br>Capt. George Walker<br>Mr. Ephraim Dennet |
| Dover | Paul Gerrish, Esq.<br>Capt. Samuel Tibbets<br>Capt. Francis Mathews |
| Hampton | Nathaniel Weare, Esq.<br>Capt. Joshua Wingate,<br>Mr. John Sanborn |
| Exeter | Samuel Thing, Esq.<br>Mr. Bartholomew Thing |
| New Castle | Theodore Atkinson, Esq. |
| Rye | Capt. Richard Jennes |
| Kingstown | Capt. Ebenezer Stephens |
| Newington | John Downing, Esq. |
| Londonderry | Mr. John Goff. |

His Excellency, JONATHAN BELCHER,(1) Esq. came into the Province the same day, and in the Council Chamber opened & [P. 308.] Proclaimed his Comiss^n^ as Gov^r^ & Comander in Chief in and over his Maj^ties^ said Province of New Hampshire, and then adjourned the Assembly to the 26^th^ curr^t^.

Wednesday August 26^th^ A. D. 1730.

His Excell^y^ came to the Council Chamber.

A Mess^a^ from his Excell^y^ pr the Clerk of the Council (2) viz. That his Excell^y^ required the attendance of Mr. Speaker

(1) Gov. Jonathan Belcher was the son of the Hon. Andrew Belcher, one of his Majesty's council in the province of Massachusetts; born January, 1681, and inherited a large paternal estate. He was educated at Harvard College, where he was graduated in 1699. Not long after, he visited Europe, where he spent six years, and was treated with distinguished notice. He was twice at the Court of Hanover, Germ., before the Protestant succession took place in the family of Brunswick, and received from the princess Sophia a gold medal. He was graceful in his person, elegant in his manners, and aspiring in his disposition. On the death of Governor Burnet, he succeeded to the Government of Massachusetts and New-Hampshire in 1730. In that eminent station he was indulged the exercise of that power to which he had aspired. "The council never enjoyed less freedom than in his time. He proposed matters for their sanction, rather than advice, rarely failing of a majority to approve of his sentiments." The records which follow will show that Gov. Belcher was not only arbitrary in many of his proceedings, but partial to Massachusetts, and unfriendly to New Hampshire interests: while his professions were fair, his intentions and acts were often one-sided and unjust. The opposition he met with from a part of the council and from a majority of the Representatives in the House was, for the most part, well founded. His conduct in relation to the settlement of the boundary lines between the Provinces, was the chief cause of the troubles that rendered his administration unhappy, and that led to his removal from office. His private correspondence with Secretary Waldron—specimens of which are given in this volume —must be regarded as discreditable to him. After his dismission from office he resided for some time in Milton, Ms., but visited England and so far gained the royal favor that in 1747 he was appointed Governor of New-Jersey. There he spent the remainder of his life in tranquillity and honor. He died at Elizabethtown, N. J., Aug. 31, 1757, aged 76 years. His remains were brought to Cambridge, Ms. and entombed. ED. [See Allen's Biog. Dic. & Holmes' Ann. vol. II. p. 78.]

(2) Present in Council

His Excellency Jonathan Belcher, Esq. Gov^r^.
His Hon^r^ John Wentworth, Esq. Lt. Gov^r^.

| | | | |
|---|---|---|---|
| Shad^a^ Walton | } Esqs | Jno. Frost | } Esqs. |
| Geo. Jaffry | | Joth Odiorn | |
| Richard Wibird | | H. Sherburne | |

& the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excellency made a speech. Mr. Speaker obtained a coppy thereof. The clerk of the council also gave Mr. Speaker a copy of his Excellencies 32 & 77th Instruction (refer'd to in the Speech) Then Mr. Speaker & the House returned

Both the said Instructions read in the House.

Post Meridiem.

His Excellencys Speech read as follows, viz.

*Gentlemen of the Council and House of Represents:* I am in the first place to give thanks to Almighty God for my safe return to my Native Country, after a long absence & escapeing the common hazards of the Seas.

And in the next place, it is with a great deal of satisfaction that I now meet you in general assembly (I doubt not) to concert those ways and means which may most of all advance his Majesty's service & honour, and the weal and prosperity of yor country. It is the present happyness of every Englishman to live under the reign of the best of Kings, who makes the laws the rule of his Goverment ; and the protection of the libertys of his People, his delight: These things ravish from all his subjects the affection so justly due to a tender father, and which he esteems the greatest support of his power. Altho it is our lot to be placed at such a distance from the immediate benign influences of his Majesty's care, yet his great mind and perspicuous wisdom is continually extended and employ'd for the [p. 309] happyness of his remotest Dominions, and when I have said this I am sure I need not fill my mouth wth arguments to pursuade you to all the duty, loyalty, obedience and gratitude due to so gracious a sovereign.

I have it in command from the King my Mastr to communicate to you His 32d Instruction to me, whereby he expects you [to] settle a Sallary on me and my successors, or at least on me during the whole time of my Government: an authentic copy of this Instruction, shall be delivered you by the Clerk of ye Council, and as you have already distinguish'd yorselves by your loyalty and obedience to the King on this head, It leaves me no room to doubt of your wisdom and care stil to secure a stronger interest in the King's favour, by a chearful complyance wth what in his royal wisdom he thinks so just and reasonable.

I am also commanded by his Majesty not only to take care that there be a strict execution of all the Laws now in force in this Province agst vice and immorality, but that I commend to your consideration the enacting what others may be necessary, for promoting and encouraging Virtue, & true religion; and as nothing can be a firmer basis for ye happyness of a people, I hope this will always lye near our hearts.

*Gent.*

I need not tell you this Province is in a fine situation for trade, where nature has done her part in commodious rivers and a good soil. It should then be your care to reap the benefits of these Blessings from God Almighty, by your greatest industry & prudence in your hus-

bandry, fishery and forreign Trade, and you may be always sure of my countenance and encouragement for these good ends. To see your trade revive and flourish under my administration, will give me a peculiar pleasure.

The unhappy dispute so long subsisting betwixt this Province and the Mass[a] with respect to the dividing line betwixt you, has produced from his Majesty (who has the most tend[r] regard for all his subjects) an Instruction to me so wisely projected, that being put in Execution will terminate the difference [p. 310] and give the opportunity of Establishing quiet & good neighborhood between the two Provinces for the future, and this Instruction shall be laid before you.

*Gent.* I am sorry to have the occasion to inform you that since my arrival from Great Britain, the Surveyor General of his Majesty's Woods, has made large complaints to me of the difficultys he meets with in the Province in the execution of his duty according to the King's Instructions. I am commanded by the King to take effectual care that the several Acts of Parliament, relating to the Royal woods, be strictly observed, and to aid and assist his Maj[tys] surveyor by myself and all officers under me, to prevent as much as possible the destruction of the King's woods; & that all offenders therein may be bro't to condign Punishm[t] I therefore intirely depend on your readyness to discountenance every thing that may have a tendency to prejudice his Majesty's service & interest, in an affair of which he is so tender, and is of such importance to his Royal Navy. And I do assure you the enacting such laws as may be further necessary for the better security and preservation of the nursery of Royal masts, will be taken as an instance of your respect & duty to the King.

It is with much satisfaction that I tell you, his Majesty by his unparall'd steadiness and consummate wisdom, has obtain'd a peace w[th] Spain, to the honour of his Crown and advantage of his subjects, the happy influence whereof you will feel from time to time in this Province, yet it must not lull us into such a security as may betray the King's honour and hazard our own safety, by neglecting our fortifications; but they ought to be put into the best order to prevent any surprise, if an unexpected change should happen in the affairs of Europe.

I am glad to see the good agreement and amity subsisting with the several tribes of Indians on our Frontiers, and you may depend, from the great honour and duty I owe to my royal master, and the affection I bear to my native Country, nothing will be more my care than to fall into every reasonable way of cementing [p. 311] our reciprocal friendship; and I hope you'l heartily joyn with me in warding off any thing that may border upon unkindness or give disquiet to those jealous People.

*Gent. of the House of Represents.*

As it is more immediately your Province to look into the state of the Publick revenue, I shall order all the accounts, from the last time you had them, to be laid before you, with Proper Estimates of what may be the growing charge of the current year, that you may grant the necessary supply's in support of the honour & dignity of his Majesty's Goverm[t] & of the Ease and welfare of his People.

*Gent. of the Council and*
*House of Represents.*

If my long absence and the little acquaintance I have at present

with the affairs of this Province, has prevented my mentioning any thing you stil judge for his Majesty's service and the good of his people, I shall be full of attention to any suggestions you may have to make of that nature; and I have now only to recomend to you a Perfect unanimity in all your proceedings, which will be for the Honour of the King's Governm^t and for the lasting peace and tranquillity of his good subjects. J. BELCHER.

*32d Instruction.*

[From Journal of the House, App., p. 602.]

Whereas the Councill and Assembly of our Province of New Hampshire, Did in obedience to our thirtieth Instruction to Mr. Burnet our late Governor thereof settle a Salary of two hundred pounds sterling upon him during his Government; It is our Will and pleasure, That you recomend it to our said Councill and Assembly to settle the same Sallary on you & your successors, or at least on you, During the whole time of your Goverment.

The above is a True Copy of his Maj^tys 32^d Instruction to his Excellencie Governor Belcher, transcribed from the Body of Instructions.

Rec^d Aug. 26^th, 1730. Pr. R^d Waldron, Cler. Con.

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In the House of Representatives

Voted, That Nathaniel Weare, Joshua Pierce & Theodore Atkinson Esqrs. be a Comittee of this House to draw an answer to his Excell^s Speech and present it to the House for approbation. Then the House adjourned to the 27^th A. M.

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August 27^th A. D. 1730.

A Petition of the Inhabitants of Londonderry bro't in and read.

P. M. The answer to his Excell^s Speech bro't in and read & ordered to be drawn out faire. Then the house adjourned to the 28^th A. M.

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August 28. A. Dom. 1730, The House met The answer to his Excell^ies Speech read, voted, accepted & sent up. The answer of the House of Representatives of the Province of New Hampshire to his Excell^ies Speech.

[P. 312.] *May it please your Excellency:*

We sincerely joyn in giving thanks to Almighty God for your preservation from the common hazards and safe return, in particular that we have the happiness to meet you as our Gov^r, and we assure your Excell. that we are met at this time with Hearts fully inclined to

do all things that in us lies that may be for the Hon$^{r}$ and service of the King and good of his subjects; and we are well assured that we live under the reign of the best of Kings; it raised our affections to the highest degree, & we hope, as we ever have, so we shall continue to mannifest it by our Loyalty and obedience.

And having so gracious a sovereign, who in his wisdom is continually taking care of us his subjects, tho' in these remote Parts of his Dominions, still move as we have opportunity to shew our Loyalty and obedience by doing our duty in all things we are able. We received a coppy of your Excell$^{es}$ 32$^{nd}$ Instruction, and as we ever exerted ourselves to the utmost of our abilities and often beyond, what has been tho$^{t}$ Hon$^{ble}$ for other governments in order to afford an Hon$^{ble}$ support to his Maj$^{ties}$ goverm$^{t}$ so hope we still shall distinguish ourselves in our Loyalty and obedience to all his Maj$^{ties}$ comands. As to the settlem$^{t}$ of a Sallary, according to his Majesties Instruction, We have to say that the sum therein mentioned is extraordinary, we being a small, and generally poor People; and especially considering the encroachments of our Neighbours, and the stagnation of our Trade, for want of a medium to carry it on. However, we hope his Maj$^{tie}$ (who being unacquainted with our circumstances, hath given your Excell$^{y}$ this extraordinary Instruction,) hath not enjoyned it on your Excell$^{y}$ as an order not to receive such sums as this House shall from time to time vote, which we assure yo$^{r}$ Excell$^{y}$ shall rather exceed than fall short of our Abilities.

And we shall take care to consider of all things which may encourage virtue and true Religion among us, & discountenance vice and Immorality, and look at it [as] our [p. 313] greatest happiness that your Excell$^{y}$ has so great a Regard for true Religion. We desier at all times to be thankful to Almighty God that he has planted us in a place where nature has done her part, and thank your Excell$^{y}$ that you encourage us in Improving of these Blessings, and hope on our part to make Improvem$^{t}$ with care and Industry.

We take it as a great mark of his Maj$^{ties}$ Favor in taking care for the settlem$^{t}$ of the Lines between the Provinces, and shall be ready to do our part according to your Excell$^{ys}$ 77$^{th}$ Instruction, as soon as we can have knowledge of Men which may be qualified according to said Instruction: We being at present altogether strangers to gentlemen in other Provinces. And for the preservation of his Maj$^{ties}$ Woods, as we always were ready, so we still remaine ready and willing to do any thing that we can, which may contribute to the preservation thereof, according to the several Acts of Parliament made for that end; and if there be any acts that may be made for the preservation of a nursery of Timber, which may be fitt for the Royal Navy, we shall be ready to do any thing that we can for the preservation thereof.

We assure your Excell$^{y}$ we shall always be glad to cultivate a good agreement with the Indians, and shall neglect no opportunity to engage them to Peace. And as tis more immediately the business of this House, so we shall take care to supply the Treasury with what shall be sufficient to defray the charges of the current yeare, and shall be diligent in passing such Acts and votes as shall at any time be thought for his Maj$^{ties}$ service or the good of his subjects.

Andrew Wiggin, Speaker.

Londonderry Petition read againe and their agents call'd in and heard, and the house had some debates thereon.

Voted that Joshua Pierce and Theodore Atkinson Esqs. be a Committee of this House to joyne with a Comittee of the upper House to examine the accounts relating to the Province and make return to the Gen$^{l}$ ass$^{m}$ for approbation. [P. 314.] Mr. Clark Waldron bro't down an Act for adjournm$^{t}$ of the Quarter sessions which was read. P. M. The act for adjourning the Qua$^{r}$ Sessions read a 2$^{d}$ time Then the House adjourned for an Hour The act for adjourning the Quarter Sessions read a third time & pass'd to be Enacted Engross'd and Sent up

A message from his Excell$^{cie}$ to the House pr Mr. Clerk Waldron in writing as follows viz.

*Gentlemen—*

I thank you verry kindly for the answer to my Speech in its several paragraphs, and your heartily joyning with me in what I have recommended will (I doubt not) with the blessing of Almighty God render you a happy & flourishing People. I would againe press you to put forward the settlem$^{t}$ of the Line between this Province and the Mass$^{a}$ according to the King's Order as soon as you conveniently can, and you may assure yourselves of all my weight and interest with his Maj'$^{tie}$ and the two Goverm$^{ts}$ under my care, that the matter may be done with the greatest Justice and Impartiality. I'me sorry to find you can tell me the Trade of the Province labours with difficulties, and shall be glad of any proposals from you to revive and increase it, and as the charge of the Province will be growing, I have a liberty to emit from time to time what Bills of Credit may be necessary to defray the Expense thereof.

*Gentlemen*—As to his Maj$^{ties}$ 32$^{d}$ Instruction for settling a Sallary on me during my Adm$^{n}$ I do assure you I should with pleasure and satisfaction have received the Kings Royal leave for my support as has been usual in this Province, nor was I wanting to solicit that it might be done in that way, yet his Maj$^{tie}$ has finally ordered it should be done in the manner I have laid before you & has further comanded & enjoyned me in the following words—"It is our express Will and pleasure that you do not give your assent to any Act in our said Province of New-Hampshire under your Goverm$^{t}$ for granting of money to you our Governour or Comander-in-chief the Sallary of two hundred pound pr annum as directed in our 32$^{d}$ Instruction." [P. 315.] This being the case, Gen$^{t}$, I neither must nor dare receive any support from you, so as to deviate from its being settled on me during the whole time of my Goverm$^{t}$. As you are my breathren, and my interest is blended with yours, I hope we shall conspire together for establishing ourselves still more firmly in his Maj$^{ties}$ grace and favor by a cheerful obedience to what in his Royal Wisdom he thinks so reasonable, and this will be the way to lengthen out your tranquillity, to promote which I shall gladly employ every opportunity may fall in my power.

J. Belcher.

Ordered That those persons concerned in the Rye Petition appeare the 3d day of the next sessions. Then the House adjourned to the 29th currt.

[On the same day] the Governor sent another message to the House in writing by Messrs. Jeffry, Wibird and Odiorne, as follows:

[From Journal of General Assembly.]

*Gent.*

The ready obedience and duty you have paid to his Majesty's Instruction in settling a Salary on me during the whole time of my Government, you may assure yourselves shall be followed by me with the fullest representations in your favour, so as we may constantly feel the love and affection of the King, who delights to be the common father of all his People.

I think it my duty to observe to you before the act passes relating to my salary, that ye Instruction Extends only to me as the King's Governor, & that therefore the mention you have made of the Lt. Governor seems an impropriety, and the act of settlement ought to be confined as near as you can to the King's Instruction; but let that be as it will, I am determined always to act with you an open upright part, and therefore think it proper to say to you what I have to the Leiut. Govr and several members of the Court (before the passing the vote you have made) That the six hundred pounds you have settled on me was what the King had required for his Governor, & I should by no means allow any part of my own support to any other officer in the Goverment.

I must further observe to you that it has always been the Practice of the Massa and commonly of ye New Hampshire Assembly, to pay the Govr before hand, so as to enable and support him [in the] management of the affairs of Goverment: and as the Treasury is supply'd with money, I can't see that it will be any detriment, but a service to this Province rather to have the money emitted and circulating than to let it lye dead in the Treasury; nor can it be thought reasonable I should live at my own Expence, til the Periods you have set in the act arrive: These things being duly considered I doubt not but that they will induce you to fall into the amendments the Council have made on the act you have sent up.

As to the affair of the line btewixt the two Provinces, wch I have once and again so earnestly recomended to you, I heartily wish you would be satisfied in the five gentlemen last proposed, who are all of them men of great honour and integrity, & being voted by this Assembly, I have no doubt of the other Province concurring with you in the choice, & which I should think would give us great hopes of a successful Issue of this long unhappy controversy.

I have now only to assure you that I am come full of benevolence, and to do every good and kind thing in my power for this Province.

I am to acquaint you, Gent. that the Assem: of the neighboring Province is to meet the next week, so I must be going homeward tomorrow, and desire you to consider what time will be most commodious to your private affairs to be prorogued to in which I shall be willing to gratify you. J. Belcher.

August 29th A. D. 1730. The House met according to adjournment. His Majestics 77th Instruction read as followeth, viz.

Whereas there has been a Dispute of long continuance between our Provinces of the Massa Bay and New Hampshire in relation to the Boundaries of the said Provinces—and whereas we do judge it to be for our service as well as for the Peace and Tranquillity of our said Collony's that the said dispute should be adjusted and a line markt out to divide the said Provinces in all time to come: It is therefore our Will and pleasure and you are hereby directed to propose to the General Assembly of each of the said Provinces respectively that discreet and indifferent persons be chosen by each of the said assemblys out of some of the neighboring Collonys under our immediate Goverment with sufficient powers to draw the said Boundary Line, and finally to determine the dispute between the said Provinces, whose proceedings therein shall be laid before us, and shall be of no effect till our Royal Pleasure shall be signified thereupon.

The above is a True Coppy of his Majties Seventy Seventh Instruction to his Excellv Governour Belcher transcribed
[p. 316.] from the Body of Instructions.

Richd Waldron Cler. Con.

Voted That Coll David Dunbar, Coll William Wanton and Coll John Whiting, Esqrs be a Committee for the Province of New Hampshire to joyne with as many to be appointed a Committee by the Province of the Massa Bay in New England, to adjust as well the northern Boundary Line between the Province of New Hampshire and the late Prov- of Maine, as the Southern Boundary line of the said Province of New Hampshire & the Massachusetts, according to his Majties pleasure signified in his 77th Instruction to his Excellv Jonathan Belcher, Esq. for the Goverment of New Hampshire and that a proper Comissn be made out by the Govr to said Gent to proceed in the affaire according to the intent of said Instruction and that a Comittee of some Gent of the Province of New Hampshire be appointed by the Genl Assembly to signifie to the aforesaid Gent that they are chosen for such purposes and to know if they will accept, and also after 'tis known that they accept that the said Gent as a Comittee be also directed to waite on the Gent just above nominated and fully instruct them according to the best of their knowledge how and what they understand to be the Province of New Hampshire, and that the charges of the said Comittees be paid out of the Publick Treasury; and that after the said Comittee have finished their return concerning the boundary lines, That both the Goverments of Massa

and New Hampshire have copies thereof that they may signifie to his Majestie their approbation in all or in part.

A Mess[a] pr Mr. President Walton, Henry Sherburn & the Cler. of the Council, that his Excell[y] adjourned the Ass[m] to Monday the 31[st] curr[t].

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Monday August 31[st] A. D. 1730.

A Mess[a] from his Excell[y] and the Board with the names of sundry persons his Excell[y] tho't proper for a Comittee to mark out the Dividing Lines, viz. Governour Talcut of Conecticut, Adolp Phillips of New York, Esq. Major Mascareen, Mr. Nathaniel Keys [P. 317] of Rhoad Island & Col. William Whiting of Rhoad Island.

Whereas his Majesty hath by his 77[th] Instruction to his Excellency Governour Belcher, directed to the choice of some discreet and indifferent P'sons out of some of the neighboring Collonies under His Majesty's immediate Goverment, who are to be invested with sufficient powers to draw the dividing line and to determine the Dispute between this Province and the Province of the Mass[a]

Voted, That this House in obedience to the said Instruction and his Excel[cies] proposal thereon, will make choice of three such persons as therein are directed to in case the Mass[a] Goverm[t] will do the like, in order to have the line settled and an end made to the Said Dispute as soon as possible.

Post Merediem.

Mr. Samuel Thing (one of the Members of the House) dismist upon his request, and ordered that a precept be sent to Exeter to make choice of another person in his stead to represent the Town next Sessions

A verbal Mess[a] pr Geo. Jaffrey, Henry Sherburne Esqs. and Mr. Cler. Waldron, that as to the settle'm[t] of the Sallary, that Lev[t] Gov. Wentworth sent word, that the House may not be hindered in regard to him, for that he did not expect any thing for himself out of it, nor of the Assembly as Levt. Gov[r]

Mr. Cler. Waldron brought down a transcript of the Lev[t] Gov. Wentworth quitting any part of the Sallary now to be settled, in the words following, viz. That the Lev[t] Governour quitted all claim to any part of the Sallary to be settled on

his Excell$^{y}$ the Gov$^{r}$ p'suant to the King's Instruction, and had no expectation nor dependance on the Ass$^{m}$ for any allowance for the future, but depended wholly on his Excellencie. Monday August 31, 1730 True Copy

Rich$^{d}$ Waldron, Cler. Con.

Voted That there be paid at two equal payments out of the Publick Treasury to his Excell$^{y}$ Jonathan Belcher, Esq. for his [p. 318] support during his Goverm$^{t}$ the sum of two hundred pounds sterling, or six hundred pounds in Bills of Credit of this Province, the one halfe thereof in the spring of the year, yearly, and the other halfe in the fall of the year, which said sum is to be in full of all demands from this Goverment for and towards any sallary and all expenses of his Excellency coming to, tarrying in and going from this Goverm$^{t}$ and that the Excise on liquors be from time to time (so far as it will go) be appropriated to that use, and that an act be drawn up accordingly, and that Theodore Atkinson and Nath$^{l}$ Weare, Esqs. be a Comittee of this House to joyn with a Comittee of the upper House to draw up said act.

A Mess$^{a}$ from the Board pr Mr. President Walton & Geo. Jaffrey Esq. that the above vote *vote* was concurr'd and accepted pr his Excellency and that the said Walton and Jaffrey were appointed at the Board to joyne the Comittee of the House to draw up the act.

Then the House adjourned to Sept. the first.

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Tuesday September the first, 1730.

Voted, That the Treasurers Accounts as audited be accepted, and allowed, and that the Treasurer be discharged of the said sums therein accounted for.

The Act for settling the Gov$^{r}$ Sallary bro't in and read the first time. Then the House adjourned for half an Hour.

The House met according to adjourm$^{t}$ The Sallary Act read a 2$^{d}$ time. The Sallary Act read a third time, and pass'd to be enacted and engross'd.

Voted, That there be forthwith signed off by the signers already appointed the sum of thirteen hundred pounds of the new bills already imprest, and by those signers put into the Publick Treasury for the defraying the Publick charges of this Province as the Gen$^{ll}$ Assembly shall direct; and to

repay the same, that it be raised by a Tax on the Inhabitants of this Province in the year 1742, and when bro't into the Treasury to be burnt to ashes in presence of the General Assembly; the said Bills to be paid [p. 319] in such Species as shall be agreed upon by the Gen$^{ll}$ assembly, and that an Act be drawn up accordingly, and that Paul Gerrish Esq. and Mr. Ephraim Dennit be a Comittee from this House to joyn with a Comittee of the Upper House to draw up the act accordingly.

A Mess$^{a}$ from the Board that the above vote was concurr'd and that Richard Wibird & Jotham Odiorn Esqs. were appointed at the Board to joyn the Comittee to draw up the act accordingly.

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|---|---|---|---|
| A vote for payment of the Hon$^{ble}$ John Wentworth, Esq. as Lev$^{t}$ Governor & Commander-in-Chief in full for the time past, | £200 | : | |
| For payment of Benj Akerman for the year 1729, | 10 | : | |
| For payment of Wm. Fellows Expences of Comittees, &c. | 3: | 10: | 8 |
| Do. to R. Waldron, as Cler. Con. to the 25$^{th}$ April, 1730, | 75: | | |
| Do. to Mr. Sherif Atkinson, as Sherif & return of Jurors to the 1$^{st}$ May, 1730— | 22: | 4: | |
| Do. to Benj. Rust for the Rent of the Council House to the 10$^{th}$ April, 1730, | 16: | | |

A message that the above allowances was concurr'd at the Board. The act for emitting the sum of £1300 was bro't in and read twice. The same Act read a third time and past to be enacted and Engross'd. A message that the act for emitting £1300 was concurr'd at the Board.

A Message from the Board pr Mr. President Walton & Geo. Jeffrey, Esq. with a vote of the Council on the act for settling the Gov$^{rs}$ Sallary, viz. The Council concur the annexed Bill with the following amendment, viz. to leave out the following words in the 11$^{th}$ & 12$^{th}$ lines in the 2$^{d}$ page, namely, "As also for any allowance to be made to the Lev$^{t}$ "Gov$^{r}$ for the time being, and that the Sallary be paid annu- "ally and advanced from time to time at the first of the "yeare"—which was read. R. Waldron Cler. Con.

Post Meridiem

The above vote for amendm$^{t}$ read and non-concurr'd and Voted, That his Excell$^{y}$ be enabled to draw half the Sallary as soon as the Treasury is supply'd to pay it.

A Mess$^{a}$ from the Board with the Sallary Bill [p. 320] to reconsider it. The question was put whether it should be reconsidered. It past in the affirmative. Upon reconsidering, the Bill past with the amendm$^{t}$ that those words, viz.

(after the first halfe year's paym^t & so on half yearly) be left out.

A Mess^a pr Mr. Cler. Waldron that the Sallary Act was concurr'd at the Board and that his Excellency required Mr. Speaker and the House to attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly and his Excellency was pleased to give his consent to enacting of and engrossing the Act for emitting £1300, and the Act for settling his Sallary, and then Mr. Cler. Waldron said, It was his Excellency's Pleasure that this Gen^ll Assembly should be prorogued to the first of October next and then declared the said Assembly was prorogued accordingly.

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October the First 1730. The house met according to Prorogation & by order of his Hon^r the Lev^t Governour the Ass^m was Prorogu'd to the 5^th of Nov^r next.

November the 19^th A. D. 1730. The House met according to proclamation by his Excellency Jonathan Belcher, Esq.

[Present] (1)

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|---|---|
| Mr. Speaker Wiggans | Capt. Joshua Wingate |
| Joshua Peirce, Esq | Mr. John Sanburn |
| Capt. Geo. Walker | Mr. Bart^w Thing |
| Mr. Ephraim Dennet | Mr. Benj^n Thing |
| Paul Gerrish, Esq. | Theodore Atkinson, Esq |
| Capt. Samuel Tibbets | Mr. Rich^d Jennes |
| Capt. Francis Mathes | Mr. Ebenezer Stephens |
| Nathaniel Weare, Esq. | John Downing, Esq. |
| | Mr. John Goff. |

Post Meridiem

The Clerk of the Council came with a Mess^a that his Excell^y required attendance of the House in the Council Chamber.

Mr. Speaker and the House went up accordingly. His Excell^y made a Speech, of which Mr. Speaker prayed a Coppy and returned. The coppy of the Speech was read and is as followeth, viz.

(1) The names are in the *original* Minutes. Ed.

*Gent. of the Council and House of Representives*

The Lev[t] Governour having in conformity to my order adjonr'd you to this day, I am now come to meet you in Gen[l] Assembly, for the necessary dispatch of the affairs of this Province. It is our happyness to live under the protection of a Prince who is the best of Kings and an indulgent father, and we are continually reaping great advantage from the trade [p. 321] with our mother Kingdom. When we consider therefore these things, I hope this Province will never be wanting in their loyalty and obedience to his Majesty, & upon all occasions to show their dutiful dependance on the Crown of Great Britain. This will be the best means to Establish you stil more in the King's favour, and thereby most effectually promote the prosperity of your country.

Altho' when I was last here my stay was but short, your private affairs urging for a recess, yet if you will have recourse to what I then recommended to your consideration, it may produce happy consequences for the people under your care. The affair of the line between this Province and the Mass[a] I think ought to be our first and especial care. The hardships and crueltys the Poor People suffer on each side, methinks should move both Goverm[ts] and every good man in them with compassion. Pray let us then be in earnest to put in Execution the King's commands so kindly and so wisely calculated for establishing the ease and peace of his subjects, & as the assembly of the Mass[a] in their late session have shown a chearful inclination to comply therewith, I hope there will be no stop or delay on your part, and I do assure you it shall not be my fault if it be not done as soon as possible, and that with all imaginable justice and impartiality.

Any thing you can do for the Encouragement of Naval Stores in this Province will greatly recommend you to the favour of the Crown and serve your own trade and Interest. I would mention to you particularly the laying a good bounty for raising hemp which your soil and climate are well adapted to.

I must acquaint you, gentlemen, that I have his Majesty's Commands that no fees be taken in my Goverments but what are according to law: I would therefore have you look into the State of the fees of this Province, that what are necessary for the King's service in the dispatch of the affairs of this Goverment, and are not yet established by law, may now be done to prevent any injustice or oppression of the King's good People of this Province, and [p. 322] you may depend on my chearful concurrence in what may be reasonable on this head as well as in every thing else which may best of all advance the King's honor and the happyness of his good subjects in this Goverment.

J. Belcher.

A Mess[a] was sent up to his Excell[y] to know what the Goverment of the Mass[a] had done as to a Comittee about the Lines, who returned for answer, That that Goverm[t] had made choice of Govern[r] Talcut & Major Wilcut (1) of Connecticut and Adolph Phillipse, Esq. of New York.

Then the House adjourned to the 20[th] cur[t].

(1) Wolcott. Ed.

Friday November the 20th A. D. 1730.

Voted, That Coll Codrington and Coll John Wanton, Esqs. both of Rhode Island and Mr. Lydall, Merchant in Boston be a Committee for this Province of New Hampshire to joyn with as many appointed a Comittee by the Province of the Massa Bay in New England, to adjust as well the Northern Boundary between the Province of New Hampshire and the late Province of Maine as the Southern Boundary Line of said Province of New Hampshire and the Province of the Massa Bay, according to his Majties Pleasure signified in his 77th Instruction to his Excellv Govr Belcher for the Goverm$^{t}$ of New Hampshire.

Post Meridiem.

The hearing of the Rye Petrs was put off to the 25th currt. The above vote for a Committee return'd and a vote of the Council for a Comittee bro't down, viz.

In Council November the 20th 1730.

Voted, That Richard Wibird & Henry Sherburne, Esqs. and the clerk of the Council, with such p'sons as the House of Representatives shall appoint, be a Comittee to prepare a Bill impowering the Honble Joseph Talcut, Esq. Govr of Connecticut, Major Roger Wolcut, of Windsor, in Connecticut, Adolph Phillipse, Esq. of New York, Coll. William Codrington & Coll. John Wanton, of Newport on Rhode Island, & Mr. John Lydal, now of Boston, to be Comissrs for the full and complete [p. 323] settlemtt of the Boundaries between this Province and the Province of the Massa Bay (so far as this Court hath power to act therein) and that the said Gent be desiered to proceed therein as soon as they conveniently can, so as to have the matter complyed with some time in June next; and that if either of the six Gentln thro' any unforeseen accident should not be able to proceed in the affaire, that any five of the six proceeding, and three of these five agreeing, It shall be of the same force and efficacy as if the major part of the six had agreed thereon. But if all the six should undertake the business and be equally divided in their opinions, that then they have liberty to chuse a seventh man to determine the difference, and that the charge be borne by the two Provinces.

Then the House adjourned to Sathurday the 21st.

Sathurday November 21st A. D. 1730.

Whereas his Excellᵛ Governor Belcher hath been pleas'd to lay before this House his Majᵗⁱᵉˢ 77ᵗʰ Instruction relating to the Boundary Lines of this Province and the Massachusetts wherein 'tis recomended that each Goverment choose discreet & indifferent p'sons out of the neighboring Collonies under his immediate Goverment with sufficient powers to draw the said Boundary Lines and finally to determine the dispute between the two Provinces whose proceedings therein are to be laid before his Majᵗⁱᵉ and be of none effect till his Majᵗⁱᵉˢ pleasure shall be known thereon.

Now in compliance with his Majᵗⁱᵉˢ said Instruction & that the ends therein proposed may be answered, Voted, that Coll. William Codrington, Coll. John Wanton, Esqs. of Road Island and Mr. John Lydall now at Boston, be a Comittee appointed by this Goverm$^{t}$ to joyn with a Comittee of three p'sons chosen by the Goverm$^{t}$ of the Mass$^{a}$ to run the aforesaid Boundaries in order that his Majᵗⁱᵉˢ Royal Pleasure may be known thereupon and that — — — — — be a Comittee of this House to joyn with [such] as shall be appointed by the Honᵇˡᵉ the Council to enlighten the said Gen$^{t}$ above appointed, and that the aforesaid Comittee be impowered and desiered to wait on the said Codrington, Wanton and Lydal to know if they will please to attend the before business, & in [p. 324] case of any one or more of yᵉ sᵈ Gen$^{t}$ refuseth to take the said affaire upon him or them, or are prevented by some unforeseen accident, then yᵉ aforesaid Comittee appointed to enlighten those Gen$^{t}$ have power to appoint others in their room as fully and amply as if the whole Goverm$^{t}$ had chose them, and yᵗ yᵉ Lines be run as soonas possible those p'sons can attend the affaire.

Voted, yᵗ Theo. Atkinson & Joshua Pierce, Esqs be a Comittee of this House to answer his Excelyˢ Speech & present it yᵉ House.

A Messᵃ from his Excellᵛ that he desires a conference on the affaire of the Lines Monday next at 4 o'clock, p. m.

Then the Cler. of the Council, by his Excell'yˢ order adjourn'd the Assembly to the 23ᵈ currᵗ.

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Monday November 23ᵈ A. D. 1730.

The Comittee made return of their Draught in answʳ to his Excellᵛˢ Speech wᶜʰ was read as follows, viz.

*May it please your Excellency*

We esteem it our great Happiness that we have an opportunity to meet your Excellce at this time in Genl Assembly, & hope we are all come fully disposed to dispatch the affairs of the Publick as soon as possible. And we are highly sensible of ye great Blessings we enjoy by living under the Reign of our Gracious Sovereign, who is the best of Kings; and we hope we shall never be wanting in ye expressions of our Loyalty and obedience towards so tender a Father, and wd acknowledge how much we are obliged to our mother Kingdom for the Bennefits we receive by ye great Trade we have there.

As for the dividing Lines between this Province & the Massa, we shall wth all dilligence apply ourselves to yt business, by making choice of discreet and indifferent Persons that may make a finall determination thereof according to his Majties Instructions.

As to Naval Stores, we assure your Excelly we shall at all times be ready to do as far as we are able towards the Encouragemt of the Hemp Manufacture; but at present, by reason of the long War wch ye [p. 325] Indians, which has been upon us, wch has hindered the cleareing and cultivatlng of our Land, we have not been in a capacity to do much that way. We shall likewise take care to look into the Table of Fees, to see what there are wanting, & to make what amendmts are necessary in that and other Laws. Andrew Wiggin, Speaker

Nov. 23d, 1730, voted, accepted & sent up.

Post Meridiem

A Messa from the Board that his Excelly was ready for a Conference about the Lines. Mr. Speaker and the House went up accordingly. The substance of which was That his Excelly (as a common Father to both Provinces) might appoint a Seventh man to joyne the Com'rs about the Lines. Then the House return'd and the Question was put, Whether a seventh Man should be added. It past in the negative.

Then the House adjourned to the 24th currt.

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Tuesday November 24th A. D. 1730.

Whereas his Excellency our Governor has been pleased to lay before this House, his Majties 77th Instruction in relation to the Boundaries of this Province and the Province of the Massa Bay, wherein 'tis recommended that each Goverm t choose Discreet & Indifferent Persons, out of the neighboring Collonies under his immediate Goverm t, with sufficient Powers to draw the said Boundary Lines, & finally to determine the Dispute between the two Provinces, whose proceedings therein are to be laide before his Majtie and be of none effect till his Majties pleasure be known thereon:

Now in compliance with his Majties said Instruction, and that the ends therein propos'd may be answered, being so

wisely projected; and whereas the Province of the Mass[a] has chosen three men to be a Comittee for them on that affaire, we conceive if we should choose three men also to joyne with them there might many inconveniences arise:

Therefore, we humbly presume that three Gen[t] of sincerity & Wisdome may be sufficient to determine the same—and as the Hon[ble] Adolph Phillips of New York, Esq. was proposed by this Province at the last sessions to be chosen, and since that the [p. 326] Province of the Mass[a] has made choice of him, and he being a man so agreeable to his Maj[ties] Instruction, and so desireable by us of New Hampshire,—We likewise make choice of him: and as the Province of the Mass[a] has already chose the Hon[ble] Joseph Talcut, Gov[r] of Connecticut, Esq. for one, We do make Choice of the Hon[ble] Joseph Jenks, of Rhoad Island, Esq. and these three Gen[t] to be Comiss[rs] to come upon the spot, and so settle the Lines to all intents and purposes according to the Intent of said Instruction, and that they are fully impowered to determine the same, so far as this Province is concerned; and also, Voted, That there be a Comittee appointed from this Province, to joyn with as many of the Mass[a] Goverm[t] to signify to the above Gentlemen that they are so chosen, for the purposes & ends aforesaid, and pray their acceptance; and if any of the abovesaid three Gen[t] shall not accept, or thro' some unforeseen accident shall not be able to come then the Gen[t] chosen by this Goverm[t] are fully empowered to make choice of a Proper Person in the room & stead of Gov. Jenks, in case he does not accept or cannot accept; and the Gen[t] chosen by the Mass[a] to do the like in the like case if it shall so happen w[th] Gov[r] Talcut: and if the Hon[ble] Adolph Phillipse do not accept, or should be prevented coming, that then both the Comittees appointed by the Goverm[ts] to make choice of a proper person in his stead, and then the Committee to have all the full Power as the persons first chosen to all intents and purposes—*Provided*, always that the Mass[a] goverm[t] agree to the above choice in the manner above, & that as well the line of the Northern Boundary between the Province of New Hampshire & the late Province of Maine, be settled by the same Comiss[rs] as the Southern Boundary next the Mass[a].

Sent up.

A Mess[a] from the Board that the above vote was concurr'd

Voted, That Theodore Atkinson, Esq. and Mr. Joshua Pierce be a Comittee of this House, to joyne with a Comittee of the upper House, to audit the accounts relating to the Province and make Report to the Gen$^{ll}$ Ass$^{m}$ for approbation.

Voted that Nathaniel Weare, Esq. Mr. Bart. Thing and Mr. Speaker Wiggin be a Comittee of this House to joyne a Comittee of [p. 327] Upper House to examine the Table of Fees, and rectifie it, and make return to the Gen$^{ll}$ Ass$^{m}$ for approbation.

A Messa. from the Board that the above vote was concurr'd & that Richard Waldron, Richard Wibird and Jotham Odiorn, Esqs. were appointed at the Board to joyne the above Comittee on the Table of Fees.

Then the House adjourn'd to the 25$^{th}$ curr$^{t}$

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Wednesday November the 25$^{th}$ A. D. 1730.

Whereas we find by experience that the People and Constables living at so great a distance from Portsmouth, to attend all the Courts, is of great expense and trouble;—Wherefore

Voted, That the four Quarterly Courts of sessions and Inferiour Court of Comon Pleas be Quarterly at the fower Antient Towns, viz. at Portsmouth in December, at Exeter in March, at Dover in September, and at Hampton in June; and that the Constables in each respective Town attend at the Court in the same Town, and that the Constables of New Castle, Newington, Rye and Greenland attend at the Superiour Court, and that each Town where the Courts are held (except Portsmouth) provide places to hold and keep the Courts in, and also a Prison to keep Prisoners in.

Voted that the Province Tax for the yeare 1730 be paid into the Treasury in the same proportion that was last settled, and that the Treasurer issue out his Warrants to the several Towns accordingly.

A Mess$^{a}$ from the Board the above was concurr'd.

Voted That Joshua Pierce, Esq. be Recorder of Deeds for the Province of New Hampshire for one yeare from the date hereof and until the next sitting of the Gen$^{ll}$ Assembly after the year is up, and that he take two shillings and six pence for every deeds recording, and the like for all copies he gives out and that the said Recorder enter upon the sev-

eral Deeds he records & copies he givs out the price he takes for doing the same.

A Bill was bro't down from the Board relating to the Lines of the Province, and Theodore Atkinson Esq. and Mr. James Jeffry was added as a Committee of this House to joyn with [P. 328] those chosen above, for the same ends and purposes, and then the Bill was read the first time. Then the House adjourned to the 26th curr$^{t}$.

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Thursday November 26th A. D. 1730.

The Bill relating to the Lines read a second time.

Post Meridiem.

The Bill for appointing p'sons to draw the Boundary Lines of the Provinces read a third time and past to be enacted and engross'd and sent up.

The parties concern'd in the Rye Petition was heard and voted as on the Petition

Then the House adjourned to the 27th curr$^{t}$

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Fryday November the 27th A. D. 1730.

The answer to his Excell$^{ys}$ Speech (1) was read againe, accepted and sent up. The House adjourn'd to Saturday the 28th curr$^{t}$

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Saturday November 28th A. D. 1730.

A Mess$^{a}$ from his Excell$^{y}$ that he required the attendance of Mr. Speaker and the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excellency made a Speech, gave Mr. Speaker a copy of it. Then Mr. Speaker & the House return'd. The Speech was read in the House and is as followeth, viz.

*Gent'n of the Council & House of Represents*

Since his most Excellent Maj$^{tie}$ has been pleased by his Royal Commission to commit his good subjects of this Province to my care and Goverment, I shall not onely in discharge of my duty to the King, but from my own sincere & chearful inclination, rejoyce in every opportunity may fall in my power to advance his Majesty's service & honor, togeather with the best prosperity of this Province; and this puts me upon a constant thoughtfulness and solicitude how to do you good.

(1) This answer not found. Ed.

Let me then, Gen^tn desire you to study and seek the welfare of your Country, in which you will find me heartily engaged w^th you.

Your love [p. 329] to your country and to one another, is not onely very consistent with the strictest Duty & Loyalty to the King, but one of the best means to make that Loyalty universal among you: and for my own part I am determin'd (as much as in me lyes) not to know (if there be) any partys among you; but I shall always think men of capacity, substance, and the greatest virtue and integrity, have the best claim to my favour or respect I can show. I take this opportunity, Gen^tn to remind and further recommend to you, what I think may be for the honor and interest of his Majesty and this Province, That there be a strict execution of all the laws in force ag^st immorality & prophaness, and for the Encouragem^t of vertue & true religion; and that you be heartily concern'd for Enacting such other laws as may be necessary for those excellent ends. This will be one of the best ways to Establish you in the favour of God and the King, and which from his Majesty's pious concern for this Province he has strictly commanded me to press upon you.

Let your next care be to endeavour y^e reviving of your trade and encouraging your husbandry, & Manufactures. To this End, I should think a liberal bounty for raising hemp and making Canvas & fine linnen would be money well expended.

The William and Mary Fort I observe begins to run to dispair. I have therefore Directed the Lt. Gov^r, w^th some Gentlemen of his Majesty's Council, & of the House of Represen^ts to make a careful survey of it and report to me in the recess of this Court, what repairs or additions may be necessary to be made, as well for his Majesty's Honor and service, as for the safety of this Province, and their return shall be laid before you, when I shall not doubt of your readiness in granting what money may be wanting on such an important service; and while I am on the Defence of the Province, I would earnestly recommend to you the enacting of a law for the better regulating and supporting the Militia, w^ch indeed is the main strength of this Goverment & what (under God) we must depend on in Case of any rupture and an attack from an Enemy; [p. 330] and this time of Peace is certainly the proper season for your consideration of this affair. I am informed that your Grants, deeds & other papers of the Greatest consequence to the good People of this Province, lye at Present in a rude and undigested manner, and that there is a great necessity of a revise of your laws: Let me then desire you, as you value the ease, peace and welfare of yourselves & your posterity, to chuse without any longer delay some suitable person or persons to reduce your papers to good order and method, and to revise your laws; and to induce those that may be capable to undertake these difficult affairs, you must handsomely proportion their reward; & methinks the settlement of the line now coming forward, should quicken you in this matter of your papers, since by such an Examination those may come to hand that may be of great service in the adjustment of the boundaries between the two Provinces.

I think it would be not onely for the Honor of his Majesty and this Goverment, but for the great Convenience in the dispatch of the Publick affaires, That a handsome Court house be built in the Town of Portsm^o (the Capital of this Province) for holding the General Court, and Courts of Justice below, and for the better security of all the

Public records. This you will please to consider, and do in it, as may be judg'd wise & prudent.

*Gent'n* Since you have in conformity to his Majesty's commands to me gone on to settle what fees were not before Established by Law, I shall Issue a Proclamation as well for the Goverment of all officers as for the Information of the People, that there may be no Injustice or oppression by Extorting Exorbitant fees, and that the people may duely comply with the laws; and while I have the honor to represent his Majesty's Person at the head of this Goverment, I hope always to be able to appeal to God and the world, and say, *Whose ox have I taken? or whose ass have I taken? or at whose hands have I received a bribe?* But as you have dutifully complyed with his Majesty's orders in fixing my support, I am content and thank you; and as I will at no time [p. 331] take any money but what is my due, & that in the most laudable way and manner, so it shall be my care to discountenance every officer under me that shall allow himself an unlawful liberty on this head.

Altho I am here at a Distance from my stated home, yet it is a great pleasure to me to be here in the discharge of my duty to the King (the best of Masters) by doing every thing in my power for the happiness of his good subjects of this Province; I hope you will therefore give all proper attention to what I have now suggested to you, and if you are desirous to lengthen out this session (since there will be no other til the spring) I shall patiently wait on your deliberations, and gladly consent to such results as may have the best tendency to his Majesty's service and your own welfare. J. Belcher.

Mr. Cler. Waldron came down, and by his Excell$^{ys}$ order adjourn'd the assembly to the 30$^{th}$ curr$^{t}$.

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Monday November the 30$^{th}$ A. D. 1730.

After some debates the House adjourn'd to the 1$^{st}$ December, 1730.

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Tuesday December the first A. D. 1730.

A Petition of Salathiel Denbow was read praying some allowance for a Hurt he received (when a soldier) in the Cannada Expedition, and for his gun.

Voted, in answer to the prayer of the Petition, That there be paid him out of the Publick Treasury the sum of ten pounds, and five pounds per annum during seven years (if he live so long), and that he have his Gun given him out of the Stores and pray his Excell$^{y}$ to give his orders accordingly.

Voted, That there be paid out of the Publick Treasury to the Judges of his Maj$^{ties}$ Superi$^{r}$ Court of Judicature for this Province ten pounds, and to Paul Gerrish Esq. forty

shillings, and two shillings pr day to each Juror for their Extraordinary time and charges spent on [P. 332] the Tryall of John Ambler and the Londonderry man.

Post Meridiem.

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| Voted That James Jeffry be paid as Cler. Assm to 19th 9br 1730, | £15: 0: 0 |
| Do. allowed John Robinson for Wheel Carriages at Fort Wm & Mary, | £29: 9: |
| Do. Benj. Rust expences of Committees] &c | £ 7: 5: 5 |
| Do. Capt. Wingate Expence when his Excellency came, | £64: 5: 3 |
| Do. John Newmarsh for Repaire of the Fort Boat, | £ 5: |

A Messa pr Mr. Cler. Waldron, all the above was concurr'd at the Board.

Then the House adjourn'd to the 2d of Xr currt.

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December the 2d A. D. 1730.

Voted, That Messrs George Walker & Ephraim Dennit be a Comittee to demand the seventeen hundred and thirty pounds (now outstanding in the hand of sevell Gent whose bonds are in the hands of the said Dennit) and bring in the said sum of £1730 to the Assembly at the next spring sessions (with the Interest thereof) in order to burn the Principle.

Voted That there be sign'd of by those signers already appointed the sum of four hundred pounds of the new bills already imprest, and by those signers put into the Publick Treasury for the defraying the charges of the Province Lines and other charges as the assembly shall direct; and to repay the same that it be raised by a Tax on the Poles and Estates of the Inhabitants of this Province in the year 1741; and when bro't into the Treasury to be burnt in presence of the Genl Assembly, and that an act be drawn up accordingly.

An act for the more safe and easy prosecuting writs of Ejectment & Writs of Trespass and Ejectmt read the first time, and an act for the £700 read once—an act for removing the courts read once, & an act for raising £6000 read once.

A Messa pr Henry Sherburne, Esq. and Mr. Secretary Waldron that his Excelly required the attendance of the House at the Board. Mr Speaker and the House went up accordingly: and had a conference about an Address in favour of his Excelly [P. 333] and about paymt of the Sallary.

In Council, December 2d 1730.

Voted, that there be an address of thanks to his Majtie in favour of his Excelly Governour Belcher and that Richard Wibird & Richard Waldron, Esqs. be of the Comittee from the Council, to joyn with such as the House shall choose to make a Draught of the said Address, and when it is draughted & Engrost to be signed by the Secretary in behalf of the Council, and by the Speaker in behalf of the Representatives in the recess of the Court.

Post Meridiem

Voted,—That his Excelly draw his next half years Sallary at the end of the first half year, the 24th of February next, and so half yearely.

A Messa per Mr. Secretary Waldron that his Excelly required the attendance of the House in the Council chamber.

Mr. Speaker and the House went up accordingly and after some conference return'd.

A Messa from the Board with the last vote to reconsider the Bill for the £700 was read a second time and the Bill for removing the Courts and the Bills about Trespass and Ejectments: and a Bill for raising £6000. Then the House adjourn'd to Xr 3d currt.

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December the 3d A. D. 1730.

Voted—That all our Laws that are made and now in force and not in print be immediately printed and that the Selectmen of Each Town and each member of the Genll assembly, and Clerk of each Court have a coppy of each Law and that the Printing thereof be paid for out of the Publick Treasury.

A Messa that the last vote lye for consideration. The Bill for raising £6000 for repair of the Fort & Building a State House and the Bill for the £700, the Bill for removing the Courts, and the Bill about Trespass and Ejectment were all [p. 334] read a third time and past to be Enacted and Engross'd & sent up.

Post Meridiem.

The address was bro't down ready drawn and read and the Speaker sign'd it and Mr. Secretary carried it up again.

[Copied from Journal of General Assembly.]

*To the King's Most Excellent Majesty.*

The humble Address of the Council & Representatives of your Majesty's Province of New Hampshire, in New England, in America, Convened in General Assembly:

*Most Gracious Majesty:*

We your Majesty's most Loyal and Dutiful subjects, the Council & Representatives of your Majesty's Province of New Hampshire, in New England, in America, should lay ourselves open to the imputation of the highest ingratitude, did we not take hold of the first opportunity to place ourselves at your Majesty's feet in humble acknowledgment and hearty thanksgiving for your loyal beneficence in appointing Govern^r^ Belcher to represent your Majesty's Person at the head of this Goverment, who is so equal to the trust, and acceptable to the People.

It is inexpressible how the first intelligence we had from White-hall of your Majesty's Grace and favour to New England on that Score, elevated our hopes, and if we are disappointed It is in this:—that his wise, just & unbiass'd Administration has exceeded our Expectations & equalled our very wishes.

The first part he acted here was laying your Majesty's Instruction before us for settling a Salary; and our first part under him was a dutiful and ready complyance therewith; since which his sedulity and constant application to the Publick affairs of the Governm^t^ for your Majesty's honour & service and the benefit and advantage of your good subjects of this Province, afford us the most pleasing views.

His great care and solicitude for the Preservation of the Pine trees by his Proclamations and strict inquiry after transgressors, will in all probability, effectually secure them for your Majesty's use, according to the Acts of Parliament provided in that behalf.

His steady Conduct hitherto gives us the best ground to hope for a serene day & Calm season.

His frequent Exhortations for putting our laws against vice and immorality in Strict Execution, back'd and Enforc'd by his own most virtuous Example, we have great reason to hope will be a good means to reclaim the vicious, and make virtue & religion flourish amongst us.

And while he is Exerting his powers as a kind father to this Province, his loyalty, duty & fidelity to your majesty are not a little conspicuous in the strictest Execution of your Majesty's Commission, and his utmost regard for the royal Prerogative, well knowing there is no inconsistancy in being a faithful servant to your Majesty, and a faithful friend to your loyal subjects. Upon the whole,

*May it please your Majesty,*

Our Experience of the Governour's eminent Powers for your Majesty's service and our good (he being a person much versed in the affairs of Governm^t^ and perfectly acquainted with our constitution) and the constant good disposition he has express'd towards both, oblige us with the greatest humility to beg your Majesty's grace and favour in

Continuing this poor little loyal plantation under the present most happy and desireable administration.

We are,—May it please your Majesty—

Your Majesty's most loyal, dutiful & obed$^{t}$ subjects & servants,

R. Waldron, Sec$^{y}$ In Presence of & by order of Council.

By order of the House of Represent$^{s}$ & in their Presence

And$^{w}$ Wiggins, Speaker.

Portsm$^{o}$ in N. Hamp$^{r}$ in New England, in Amer$^{a}$ Dec 3$^{d}$ 1730.

A Mess$^{a}$ from his Excell$^{y}$ pr Mr. Secretary that his Excellency required the attendance of the House in the Council Chamber. Mr. Speaker and the House went up accordingly and his Excell$^{y}$ was pleas'd to give his consent to the enacting of the Engross'd Bills, viz. for Emitting £700, the Act about the Lines, appointing Comiss$^{rs}$ &c. and for removing the Courts. Then the House return'd. Mr. Secretary Waldron came down and said it was his Excellency's Pleasure this General Court should be dissolved, and declared in his Maj$^{ties}$ name

*This Court is dissolved accordingly.*

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[The following is a copy of the Law appointing Commissioners to settle the Boundaries, &c.]

[Copied from Record of Acts, 1692–1742, in Secy$^{s}$ Office, p. 318]

Anno Quarto Regni Regis Georgii Secundi:

*An Act appointing Commissioners to settle the Boundarys between his Majesty's Provinces of New-Hampshire and the Massachusetts Bay.*

Whereas there has been a Controversy of long standing between His Majesty's Provinces of New Hampshire and the Massachusetts Bay, concerning the divisional Lines of the said Provinces, and frequent attempts have been made by Commissioners chosen on each side to compromise the same, but all to no purpose;—And whereas the affair has once and again at a very considerable expense to this Province been laid before his Majesty in Council, in order to obtain his Royal determination on the matter,—yet so it is notwithstanding the several remonstrances made to his Majesty in that behalf, the difference remains yet open and unsettled; Tho' his Majesty in his great goodness and tender regard for his good subjects even at this great distance, has been graciously pleased to project and recommend by his Seventy Seventh Instruction to his Excellency the Governor, the most probable scheme for putting a final issue to the said difference (as far as in this Province lyes)

*Be it enacted* by his Excellency the Gov$^{r}$, Council and Representatives conven'd in General Assembly, and by the Authority of the same, that three persons be chosen Commissioners to repair to the places where the controversy arises, and to hear what may be offered on each

side, and then to conclude and finally determine the difference according to the said instructions, and as fully and amply to all intents and purposes as this Goverm$^{t}$ can give them power to act. And whereas the Honourable Adolph Phillips of New York, Esq$^{r}$ was nominated & proposed to be chosen on the part of this Province for this affair at the last sessions of the General Assembly; since which, he having been Elected by the General Assembly of the Massachusetts Bay on their part, & being a gentleman of so universal a good character, and so agreeable to his Majesty's Instruction and the desires of this Goverm$^{t}$, and whereas the Goverment of the Massachusetts Bay have also chosen the Honourable Joseph Talcut, Esqr. Governor of Connecticut, on their part; and the Honourable Joseph Jencks, Esq. Governor of Rhode Island, being thought a most suitable person to be a Commissioner on the part of New Hampshire:

Be it therefore Enacted by His Excellency the Governor, Council and Representatives convened in General Assembly and by the Authority of the same, that the aforesaid Honourable Adolph Phillips, Esq. chosen and appointed conjunctly by the two Goverments, and the Honourable Joseph Jencks, Esq. chosen and appointed on the part of this Goverment, and the Honourable Joseph Talcut, Esq. chosen and appointed by the Goverment of the Massachusetts Bay, be Commissioners, and by virtue of these presents are hereby invested with all the powers and authoritys that this Goverment can give them, to repair to the places where the aforesaid controversy arises, and fully to hear each side, and then finally to fix and settle the said boundarys between the said Provinces according to his Majesty's aforesaid Instruction—that is to say, the Boundary between the Province of New Hampshire and the late Province of Maine, as well as the other Boundary between New Hampshire and the Massachusetts Bay.

And be it further Enacted by the authority aforesaid, that George Jaffrey, Esq. Rich$^{d}$ Waldron, Esq. Benjamin Gambling, Esq. Theod$^{re}$ Atkinson Esq. Capt. James Jeffrey, be a Committee in behalf of this Province, to joyn with so many to be chosen in behalf of the Province of the Massachusetts Bay, to make a joynt application to the Hon$^{ble}$ Adolph Phillips, Esq. afores$^{d}$ to undertake the said affair, and likewise to make a seperate application to the Hon$^{ble}$ Joseph Jenks, Esq. on the part of this Province; and if it should so happen, that the Hon$^{ble}$ Adolph Phillips, Esq. or the Hon$^{ble}$ Joseph Jenks, Esq. should not be prevail'd with to undertake the affair, or should be prevented by any unforeseen accident, that then the afores$^{d}$ Committee with the Committee to be chosen by the Massachusetts, appoint another person in the room of the said Mr. Phillips, and that the said Committee of this Province (seperately) chuse a person in the room of Gov$^{r}$ Jenks, in case they or either of them should not undertake the affair: And in case Gov$^{r}$ Talcut should not undertake for the Province of the Massachussetts Bay, that then the Committee of that Province shall make choice of another person in his room, and that the Person or Persons which shall be chosen by the Committee conjunct or seperate shall have the same full power and authority to all intents and purposes as the Commissioners who are herein nominated and appointed: *Provided* always, that the Gen$^{l}$ Assembly of the Mass$^{a}$ Bay agree to the choice aforesaid, in the manner aforesaid, and to the Settlement of the Eastern as well as the Western boundary of the said Province of New-

Hampshire as afores[d], and that the said Commissioners be desired to proceed upon the business as soon as they conveniently can, so that if possible, the affair may be finally determined by the twenty-fourth day of June next, and that the charge be born by the two Provinces.

Dec. 3[d] 1730. Read three times in the House of Represen[t]. And pass'd to be enacted. Andrew Wiggin, Speaker.

Eod[m] die. Read three times at the Council Board and voted a concurrence. Rich[d] Waldron, Secretary.

I assent to the enacting this Bill J. Belcher.

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*Death of Richard Waldron.*

[From Adams' Ann. Portsmouth, pp. 156, 157.]

November 30, 1730. The honourable Richard Waldron [Sen.] departed this life in the 80[th] year of his age. He was the son of Major Richard Waldron of Dover, and was bred a merchant under Lieutenant Governor Willoughby of Charlestown. After his return to this Province, he resided part of his time at Dover, and part at Portsmouth, and pursued the business of merchandise. He was early engaged in public life, and sustained many offices of honour and importance. His superior qualifications first introduced him to notice, and his desire of being useful to society, induced him to accept the several appointments which were offered him. He was a Councillor, Justice of the Court of Common Pleas, Judge of Probate, a Justice of the Peace, and Colonel of the Militia for many years together. He discharged the duties of these several offices with great ability and undeviating rectitude. Amidst these worldly honours and riches he did not neglect the more important concerns of religion. He was circumspect in his Christian conduct, and endeavored to walk agreeable to the precepts of the Gospel. He was buried without military honours, because he had frequently expressed his dislike to pomp and parade at funerals.

[See also Vol. VIII, Coll. N. H. Hist. Soc., pp. 348–352.]

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Hon. John Wentworth, late Lt Governor, deceased, Dec. 12, 1730, aged 59 years. He was son of Samuel Wentworth, and was born at Portsmouth June 16, 1672. His inclinations led him to a seafaring life, and he soon obtained the command of a ship. In this situation he was very exemplary in his conduct, and constantly maintained the worship of God in his ship, by morning and evening prayer. By a careful attention to his business, he acquired a handsome fortune. His engaging manners procured him the affection and esteem of all who knew him. His public spirit induced him to take an interest in whatever would benefit his native place. He was appointed one of the Council in 1712, and Lieutenant Governor in 1717,—his Commission being signed by J. Addison, Author of the "*Spectator*." After the administration of the Government devolved on him, his unwearied endeavors were to promote the welfare of the Province. In the discharge of his official duties, he gained the approbation of the inhabitants, and the affairs of the Province flourished under his mild administration. He was constant in his attendance on public worship, regular in his family devotions and in the observance of all the ordinances of the Christian religion. He had 16 children: of whom fourteen survived him. [See Ad. Ann. Portsmouth, pp. 157–8. Farm. Belk., p. 226. Ed.]

[p. 335.] Anno Regni Regis Georgii Secundi Magnæ Britanniæ, Franciæ et Heberniæ, &c Quarto.

A Journal of the House of Representatives of his Majesties Province of New Hampshire in New England, began and held at Portsmouth in said Province the 3d day of February, Anno Dom, 1730–1.

The Persons returned according to the Kings Writ to serve in General Assembly for the several Towns, are as followeth, viz.

| | |
|---|---|
| For Portsmouth | Joshua Pierce, Esq.<br>James Clarkson, Esq.<br>Capt. John Rindge |
| Dover | Paul Gerrish, Esq,<br>Capt Francis Mathes<br>Capt Thomas Millet |
| Hampton | Nathaniel Weare, Esq.<br>Capt Joshua Wingate<br>Mr. John Sandburn |
| Exeter | Mr. Bartholomew Thing<br>Mr. Benjamin Thing |
| Stretham | Andrew Wiggin, Esq. |
| New Castle | Theodore Atkinson, Esq. |
| Rye | Capt Richard Jennes |
| Kingstown | Mr Ebenezer Stephens |
| Newington | Mr George Walton |
| Londonderry | Mr. John McMurphee |

The Honble George Jaffrey, Esq, and Mr. Secretary came from the Board and acquainted the House that they were authorized by his Excellency to administer the oaths to the Members return'd p'suant to an act of Parliamt which being done they withdrew.

[p. 336.] A Messa pr Mr. Secretary directing the House to make choice of a Speaker. The house proceeded to the choice of a Speaker. Andrew Wiggin, Esq. was chosen Speaker.

Three of the members were sent up to signifie the House had made choice of a Speaker and that Andrew Wiggin Esq was chosen Speaker. The Board waited till the House had made choice of their Clerk.

Mr. James Jaffry was chosen Clerk and sworn accordingly.

Mr. Secretary came down and said that his Excellency ordered this Assembly to be adjourned to the last Monday [Wednesday?] in March next, and then declared the assembly adjourn'd accordingly.

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Wednesday March the 31st A. D. 1731.

The house met according to adjournment. Mr. Secretary came down and said that his Excellency ordered this Assembly to be adjourned to the last Thursday in Aprill next, and then declared the assembly adjourned accordingly.

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Thursday April the 29th A. D. 1731.

A Quorum of the House being met, A Messa was sent to signifie it to his Excellency.

A Messa from his Excellv pr Mr. Secretary viz. That his Excellv required the attendance of Mr. Speaker & the House in the Council Chamber, Mr. Speaker & the House went up accordingly. His Excellv made a speech. Mr. Speaker obtained a Coppy and then with the House returned.

His Excellency's Speech was read as followeth, viz.

[Copied from Governors' Messages, in Secretary's office, vol. I, p. 119, Compared with Journal of the House pp. 336–338.]

*Gentlemen of the Council and House of Representatives.*

[P. 337.] Your steady Loyalty and duty to the King is your great happiness and distinguishing honour. In this Light I have represented you to his Majesty, and I doubt not but you will constantly reap the advantage of it, in the injoyment of his Gracious Favour and Protection; and I have no reason to think but you are now met in General Assembly to do every thing in your power that may be for his Majesty's honour and service, & for the best good & welfare of your Countrey; and to these things you shall always have my hearty consent.

I suggested so much to the last Assembly for advancing the Prosperity of the People that I have hardly anything more to say than to desire you to look back and peruse them; yet for your own safety and tranquillity I must remind you of revising your Laws, and adding to them, what may be further necessary at present. Your Militia more especially wants the assistance of the Legislature to make it serviceable to the Province, they being under God our only defence in case of a rupture with any of our Neighbors; & I am told the fines for the Neglect of appearance on days of muster are so low, that the Militia are in a manner dwindled to nothing.

It is also absolutely Necessary that the public Papers and Records of the Province should be reduced to good order and method.

I am now to acquaint you, Gentm That the late Genl Court of the

Massachusetts Bay have past a Law much of the Nature of that past here the last fall, for settling the long disputed Bounds between this Province and that; & an authentiek Copy of this Law shall be laid before you; and I shall not doubt your adding to yours what may still be Necessary for perfeeting so good a work.

*Gentm of the House of Representatives*,

As it is more peculiarly your business & duty to make the Neeessary supplies for the Hon$^{ble}$ support of this his Majesty's Government & for establishing the peace and well-being of his good subjects in this Provinee, I shall order the Publiek aceounts to be laid before you, That you may know the state of the Treasury, & do what may be Needful for defraying the growing eharge of the curr$^{t}$ year.

[p. 338.] *Gentm of the Council and House of Representatives*,

As it is a bussie season of the year, I hope you will earefully endeavour the best dispatch of what affairs may eome under your eonsideration, by a good harmony and unanimity among yourselves—whieh will always give me the greatest pleasure and satisfaetion.

J. Belcher.

Mr. Secretary bro't down a Coppy of the act of the Mass$^{a}$ refer'd to in his Excelly$^{s}$ Speech. The same was read in the House. Then the House adjourn'd to the 30$^{th}$ curr$^{t}$.

---

Fryday April the 30$^{th}$ A. D. 1731.

Voted that Joshua Pierce and Nathaniel Weare Esqs. be a Comittee of this House to draw up objections why this House cannot come into the measures proposed in the act of the Mass$^{a}$ relating to the Lines & make return to the House for approbation.

Post Meridiem.

The Comittee for drawing objections ag$^{t}$ the act of the Mass$^{a}$ about the Lines made the$^{r}$ Report which was read in the House as follows, viz.

1. Objection, The Act of the Mass$^{a}$ binds up the Comiss$^{rs}$ only to the Bounds mentioned in their Old Charter (whieh is vaeated) Whereas our dispute is only on the Charter of King William & Queen Mary to the Mass$^{a}$ Bay, which also tyes up the Comiss$^{rs}$ from heareing arguments that either part may offer.

2 Objeetion ag$^{t}$ the said Aet is, That the Comiss$^{rs}$ shall have power to order equivalent Lands to be given and reeeived by eaeh Goverm$^{t}$ in lieu of such Lands as either Goverm$^{t}$ is in possession of, if it happen not to be within their lines. This is not in his Maj$^{ties}$ Instruetion, nor any thing like it, nor in the power of the Assembly to take or give Equivalent Lands, the right of soile being in the Crown.

3 Objeetion is, That the Act of the Mass$^{a}$ is absolute that the Comiss$^{rs}$ finally settle the Boundary Lines without any Regard [p. 339] to the Reservation in his Maj$^{ties}$ Royal Instruction whieh 'tis humbly presumed this Province will not come into.

4th Objection ag$^{t}$ paying halfe the charges. If when the Comiss$^{rs}$ hath settle the Lines, and it be found that New Hampshire never granted or intruded upon any lands within the bounds of the Massachusetts Charter granted by King Wm. & Queen Mary, then they ought not to pay halfe the charge, and that if 'tis found that the Mass$^{a}$ hath made sundry grants without the Charter that falls in New Hampshire (and verry lately too) then they ought in justice to pay the whole charge or leave it to Comiss$^{rs}$ to quadrate or asses the charges according to the Transgressions of either Goverm$^{t}$.

5$^{th}$ As to the nominating the p'sons 'tis humbly presum'd the way proposed in the New Hampshire Act, lookes much more indifferent than the way propos'd in the Mass$^{a}$ Act—all which is humbly submitted.

Then the House adjourn'd to May y$^{e}$ 1$^{st}$.

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Saturday May the 1$^{st}$ A. D. 1731.

Voted that Joshua Pierce and Theodore Atkinson, Esqs be a Comittee of this House to answer his Excelly$^{s}$ Speech and present it for acceptance. Then the House adjourn'd to Monday May the 3$^{d}$.

---

Monday May the 3$^{d}$ A. D. 1731.

Voted that Messrs John Rindge and Bartholomew Thing be a Comittee of this House, to joyne with a Comittee of the Upper House to audit all accounts to be bro't in this sessions & make their Return for approbation.

A Mess$^{a}$ from the Board that the above vote was concurr'd and Henry Sherburn & Jotham Odiorn Esqs. were appointed at the Board to audit the accounts.

Voted that Major Wingate and Mr. Bart. Thing be a Comittee of this House to joyn with a Comittee of the Upper House to tell over all such money as shall be bro't in to be burnt and make return to the Gen$^{l}$ Assembly.

The Committee that was to answer his Excell. Speech bro't in their draught, which was read in the House as follows, viz.

[p. 340.] *An Answer to His Excelly's Speech which was made April 39, 1731.*

*May it please your Excelly,*

The Favours and Protection, which his Majties subjects the People of this Province are constantly receiving from him, are the greatest incouragem$^{t}$ to Loyalty and Duty. These we hope will always be our distinguishing character, and we assure your Excelly we are now met to do every thing tending to his Majesty's Hon$^{r}$, and the welfare of

this his Majᵗʸᵗᶦᵉˢ Province. To this end, we shall according to your Excellyˢ desier, inform ourselves of what you laid before the former Assemblys, and shall (if we can be so happy as to obtain your Excellys assent) pass all such acts as shall be thought necessary for the safety and tranquillity of this Province:

And shall take care that the several officers shall be directed to reduce the files & papers into method and good order, that so they may be lodged in the propper offices.

We have carefully perused the Transcript of the Act passᵈ by the Governᵗ of the Massᵃ Bay for settling the Boundary Lines between the two Governmᵗˢ which we by no means can think reasonable, nor correspondᵗ to his Majᵗᶦᵉˢ Instruction in scarce one paragraph; however, we shall do every thing in our Power that can square with that so reasonable an Instruction, & that so the fault shall not rest with us.

We readily acknowledge that the supply of the Treasury Comences with this House, and shall cheerfully render such, and all the supplyes in our Power; but if the several Acts already made and passed for the calling in the money & sincking yᵉ several funds on which our Paper Currency is established, must terminate and be complied with and the Money accordingly burnt without anyᵉ further remittance; It will be attended with the greatest difficulty. It will lay his Majᵗᶦᵉˢ subjects, the People whom we represent, under the most distressing circumstances imaginable, which will be very plain [p. 341] to your Excelly, being rightly informed of our present conditions. We shall use our best Endeavour to go thro' the Publick affairs of this Sessions with all possible unamity and dispatch.

Andrew Wiggin, Speaker.

A Petition of Thomas Millet and the Proprietors of Hiltons Point in Dover praying a Gate Way was read & Voted that the Petitioners serve the Selectmen of Dover with a coppy to appeare Thursday next, to shew cause, &c.

A Petition of the People call'd Quakers praying to be excused (when constables) from gathering Ministers Rates was read.

Then the House adjourn'd to May 4ᵗʰ.

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Tuesday May 4ᵗʰ A. D. 1731.

A Petition of Samuel Graves (an Inhabitant of Kingston in New Hampshire that lives at least 5 miles North of Merrymack River) setting forth that he had been imprisoned some months in Ipswich goal in the County of Essex in the Province of the Massᵃ Bay By virtue of process from said Ipswitch court at the suit of Haverill men who claimed his land in Kingston afforesaid by virtue of a Haveril grant, Praying Redress, and that a stop might be put to any proceedings on the controverted Lands near the Lines, till a settlemᵗ of the Boundary Lines might be obtained.

Voted thereon that an act be drawn up for all process to stop with a Proviso that the Mass[a] make a like act. Sent up for concurrence.

Voted, Benja. Akerman be paid as Dore Keeper for the year 1730 £10 : :0

Allowed Rich[d] Perry's acc[t] for work at Fort Wm & Mary £ 4:9:8

Post Meridiem.

Samuel Graves Petition bro't down to be reconsidered to affix the time how long the act shall continue and that the Petir have liberty to bring in a Bill accordingly. Voted, That an act be drawn up to stop any Law suits ag[t] any the borderers on the Lines for 18 months unless the Lines are settled sooner & that Joshua Pierce Esq. be a [p. 342] Committee from the House to joyn a Comittee from y[e] Board to draw up an act accordingly.

Then the House adjourned to May 5[th].

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Wednesday May the 5[th] A. D. 1731.

A Bill was drawn up for emitting £4000 Loan & read once.

Post Meridiem.

The Bill for £4000 Loan read a 2[d] time.

Sundry Debates about our Act about the Lines and also on the Mass[a] act, and the Question was put—Whether we should adhere to our own act with some amendm[ts] or make a new one and strictly conform to his Maj[ties] Instruction. It past to adhere to our own Act with some amendm[ts]. Then the House adjourned to the 6[th] curr[t].

---

May the 6[th] A. D. 1731.

A Petition of the Souldiers of Fort Wm & Mary was read praying an enlargem[t] of their Pay.

Voted, the Petition be dismiss'd.

Whereas upon reading a Transcript of the Act of the Gen[l] assembly of his Maj[ties] Province of the Mass[a] Bay in New England, relating to the Boundary Lines of that Province & the Province of New Hampshire made and past in February 1731, laid before this House by his Excellency Gov. Belcher, It is observed that the said Act of the Massa. is

not agreeable to the Intent of his Majties Instructions for settling the Boundary Lines—Therefore Voted, That this House adhere to their act made and passed in New Hampshire Xbr 30 1730 with their amendments viz. instead of the words (" that the aforesaid Comittee with the Comittee to be chosen by the Massachusetts, appoint another in the room of the said Phillips") there be added. That in case Mr. Phillips do not accept or cannot come, that then his Excellenc the Govr of New York be desired, and fully impower'd to appoint some suitable person of that Goverm$^{t}$ in the room of the said Mr. Phillips: and that instead of the words (" by the 24th day of June next") it be entred by the [p. 343] last day of September next; and that the charges be boarn by each Province as the Comissrs direct; and that a clause be added as in the Massa Act, that the determination be under hand and seale, and duplicates given to each Party, or such of the Comittees as may be appointed to receive the same, and that the act be amended accordingly.

Sent up for concurrence.

In Councill read and non-concurred unanimously, and Voted that a Comittee of this Goverm$^{t}$ be chosen to meet a Comittee of the Massa.

Post Meridiem

Joseph Jones Petition read and voted thereon that he and Coll James Davis have leave till the 3d day of the next sessions to bring a Plat, &c. and that the Town of Dover be notified to be present at the hearing.

Sent up for concurrence.

A Messa concurr'd above.

An act to revive the Supr Court read.

A Messa to the Board pr four members viz. That the house did adhere to their former vote about the Act for settling the Lines, and that unless the goverm$^{t}$ of the Massa will pass an Act correspond$^{t}$ therewith, tis the fixt Resolution of the House not to pass any Act but what is agreeable in substance with his Majties Instruction, and in order to finish said affaire, to desire the Council to joyn with the House in the choice of some suitable p'son as an agent to represent the affaire to his Majestie, to shew how far this Government has condescended to the Massa in this affaire, and that the said agent be paid by a Private subscription, several gent having offered to subscribe to support the said Agent so appointed to prosecute the said affaire.

In Council, May 6, 1731.

Whereas by a verbal Messa. from the Assᵐ to the Board by Messrs. Weare, Pierce Atkinson and Clarkson It is declared to be the sentiments of the House, That the settlement of the Province lines will never be adjusted but by his Majᵗⁱᵉ in Councill, and whereas it was moved to his Excellᶜⁱᵉ and the Board by the genᵗ above named that an agent might be chosen to make remonstrance of the affaire to his [P. 344] Majᵗⁱᵉ Accordingly, and further, as the said genᵗ were pleased to represent, That there was a certain numʳ of P'sons that will subscribe considerable sums out of their own Private Purses for carrying on the affaire: The Council desire to be informed, who the P'sons are that are so bountifully disposed, what sums they will advance, and when it will be paid; and whether the House has yet gotten any security for the same; and they also expect the original subscription to be laid upon the Board, in order to their passing upon the aforesaid verbal Messa.

Allowed the Sherrifs £15 and £7:4 to May the 1ˢᵗ 1731, for their service and empanneling Jurors £22:4

Do. Richard Wibird, Esq. for his Schooner Neptune carrying the Levt. Govʳ to Boston in full of £15 demanded £5:

Then the House adjourn'd to Fryday, May 7ᵗʰ currᵗ.

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Fryday, May the 7ᵗʰ A. D. 1731.

Whereas the Genˡ Assembly of this Province Xʳ 3ᵈ 1730, passed an Act for appointing Comissʳˢ for settling the Boundary Lines between said Province and the Massᵃ, and whereas there has been a Transcript of an Act passed by the Genˡ Court of the Massᵃ last February, which this Genˡ Court observe is not conformable to his Majᵗⁱᵉˢ Instruction for settling the Lines or Boundaries of said Provinces:

And whereas the House of Representatives has for accommodating the affaire come into some amendments to the Act made here Xʳ 3ᵈ, aforesaid—and since 'tis not likely that the Genˡ Assembly of each Province shall agree in every particular in their Acts—Therefore

Voted, That there be a Committee from the General Assembly of New Hampshire appointed to meet a Comittee to be appointed by the Genˡ Assem. of the Massᵃ, at Newbury [P. 345] the tenth day of June, to treat and see whether

they can agree upon drawing up an Act conformable to his Majtie's Instructions, that may suit both Goverments, and that the Comittee make return to the Genl Assembly, and that his Excellcy be desiered to adjourn this Assm (when they break up) to the 15th of June next, to receive the Return, in order to act thereon, that the matter may be ended by the Comissrs by the last of Sept. next.

Post Meridiem.

In Council, May, 7th 1731.

Whereas his Excellcy, the Govr has been pleased to signifie to the Court that the affairs of his other Goverment call for his being at home the beginning of next week, whereby this Assm will undoubtedly be obliged to rise tomorrow—wherefore the Council earnestly move that the House would pass upon every necessary matter without any delay, such as the settlement of the Treasurer's Accounts, making the proper allowances, and supplying the Treasury, that there may be no room for any to suspect the Loyalty & Duty of this Province to his Majtie in the necessary support of this his Goverment, and that all persons who have any just Claims upon the Treasury may have no cause to complain.

Richard Waldron, Sec'ry.

In the House, &c.

Whereas there are great frauds and deceipt practised by p'sons travelling in this Province by selling of Foreign Linens, under pretence they were made at Londonderry in this Province, which tends to the Damage of those who realy make and sell the Linen in Londonderry, and to evade the Act made by this Goverment agt Hawking & Pedling, &c.; For prevention of which, & for encouraging the manufacturing Linnen in said Town,

Voted, That an Act be drawn up authorizing the said Town to make choice of a suitable p'son to Seal all such Linen as shall be made in the said Town, and to have a seale with the name of the Town engraved on it, & authority to such sealer [p. 346] (if suspect yt 'twas not made in the Town) to admr an oath to the p'sons that brings Linen to be sealed, that it was bona fide made in said Town.

The Bill for altering the Supr Court read a second time.

Then the House adjourn'd to May the 8th currt

Saturday, May the 8th A. D. 1731.

In Council, May the 8th 1731.

Whereas the House of Representatives have come into a vote for the choice of a Comittee of this Goverm^t^ to meet a Comittee of the Goverm^t^ of the Mass^a^ Bay, to treat, confer & agree upon Preliminaries (if possible) in order to settle the Divisional Lines of the two Provinces by Comiss^rs^ according to his Maj^ties^ Instructions in that behalfe: Therefore, *Voted*, That all Lawsuits commenced or to be comenced upon the controverted Lands bordering on the Divisional Lines of the said Provinces, be suspended until the 2^d^ day of November next provided the Goverm^t^ of the Mass^a^ make the like order.

Sent down for concurrence.

Read and concurred. Then his Excell^y^ adjourned the Assem. to Monday next.

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Monday, May the 10th, 1731.

The Quaker Act read a third time and past to be enacted & engross'd & sent up. [As follows]

[Copy of said Law from Record of Acts in Secretary's office 1692–1742.]

An Act to exempt those People called Quakers from gathering the Rates for the Ministers of other Perswations within the Province of New Hampshire:

Be it enacted by his Excellencie the Governor, Council and Representatives conven'd in General Assembly, and by authority of the same, That in every Town, Parrish and precinct within this Province, when and so often as any of those People called Quakers shall be chosen to the office of Constable, That such person shall be exempted from gathering Ministers Rates of any other perswation; and that every such town, parish or precinct shall make choice of another person (not a Quaker) to be constable, to gather the Ministers Rates in every such town, Parish or precinct, and such Constable so chosen shall have all the powers and authorities that other Constables have, any law, usage or custom to the contrary thereof nothwithstanding.

May 10th, 1731, Read three times in the House of Representatives & Pass^d^ to be enacted. Andrew Wiggin, Speaker.

Eod. die. Read three times at the Council Board and voted a concurrence. Rich^d^ Waldron, Secretary.

I assent to the Bill on the other side, May 10th, 1731.

J. Belcher.

A vote past for paym^t^ of the Council and Assembly as usual to the end of this Sessions.

We whose names are underwritten, being a Committee for telling over the Money that should be bro$^{t}$ in to be burnt, have received and bro't into the Assembly and burnt,

| | |
|---|---|
| From Henry Sherburn, Esq. | £137: 3: 6 |
| Theo. Atkinson, Esq. | 175: 15: 7 |

Of Old Cypher'd Bills.

| | |
|---|---|
| Sha: Walton | R. Wibird |
| Joshua Wingate | Tho. Millet. |

[p. 347.] Allowed Richard Waldron as Secretary to the 15$^{th}$ April, 1731, £15: 0: 0

Do. Peter Greeley for going Express to Boston, £ 3: 12: 0

Do. Theo. Atkinson, Esq. for Locks for the Prison, £ 8: 5: 0

Ball$^{a}$ due to the Prov$^{e}$ on the Treasurer's Accounts, £292: 4: 1

Then his Excell$^{y}$ adjourned the Assembly to the first day of July next.

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Thursday, July 1$^{st}$, A. Dom. 1731.

Whereas the Gen$^{l}$ Assembly of this Province, did on the 7$^{th}$ day of May last past pass a vote & appointed a Comittee of the Gen$^{l}$ Assembly to meet a Comittee to be appointed by the Gen$^{l}$ Court of the Mass$^{a}$ in their May Sessions, to meet at Newbury, on the 22$^{d}$ of June last past, to treat with each other, and try if said Comittees could agree upon a Draught of a Bill conformable to his Maj$^{tics}$ Instruction about settling the Boundary Lines as might be agreeable and past upon by the Gen$^{l}$ Assemblys of each Province and return to be made with all convenient speed, and that his Excell$^{y}$ was therein desiered to adjourn this Court to this day, in order to pass a Bill upon the Report; and that the Mass$^{a}$ Assembly being sitting at that time might pass an Act also, that then the matter of the Lines might be ended this Fall:

But we find by a letter of the 15$^{th}$ of June from Elisha Cook, Esq. That the Assem. of the Mass$^{a}$ Goverm$^{t}$ did not see fit to appoint any meeting while the Gen$^{l}$ Court sate, and by another letter from the said Elisha Cook, of the 21$^{st}$ of June last, he writes, the Comittee from that Goverm$^{t}$ will meet the Comittee of N. Hampshire the 11$^{th}$ July curr't and by his Excell$^{y}$ Gov$^{r}$ Belcher's letter of the 21 June, directed to Mr. President Walton, that the Assm. of this Goverm$^{t}$ sit this day in order to agree on the 13$^{th}$ July curr't, to meet the Comiss$^{rs}$ of the Mass$^{a}$ about the line, & that the assem. having voted the time agreeable to the Mass$^{a}$ that the Assembly be prorogued to the first Wednesday in 7$^{r}$ next; and in none of the Letters or Directions any mention is made who

the Comittee of the Mass[a] are, or how many, nor have any copy of the vote of their Assm. been sent, and since this Assm. must be prorogued to 7[r] next, and tis not likely [P. 348] that the Mass[a] Assembly will meet till X[r] next, and therefore no hope nor likely-hood of p'fecting any thing this yeare about the lines, and this Goverm[t] think these Delays are contrary to the intent of his Maj[ties] Instructions:

Therefore, *Voted*, That this House do not think it fit, or for the interest of this Province to chuse a Comittee, but come into some other method, and represent the matter to the Court of Great Brittaine & shew how far this Province has proceeded, and endeavourd a peaceable settlem[t] of the said lines, and pray that his Hon[r] the Leut. Gov[r] and Board will come into the same. Sent up.

Then the House adjourn'd to July 2[d] currt.

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July 2[d], A. D. 1731.

A Mess[a] pr. Mr. Secy., the above vote was non-concurred at the Board, and that he had bro't down a vote of the Council, viz.

In Council, July 2[d], 1731.

Ordered That the vote of the Gen[l] Assembly made and past the 7[th] of May, 1731, for appointing a Committee to meet a Comittee of the Mass[a] at Newbury, the 22[d] of June be and is hereby revived; and that the Comittee meet at any time between the 12[th] of the curr't month & the 20[th] of August next, and that the said Comittees make their Report to the Gen[l] Assemblys respectively at the first sessions of the said Assemblys, after the Comittees have met and concluded upon the affaire.

Read and non-concurr'd, and,

Voted, That the House adhere to their former vote sent up this day.

Mr. Secretary came down with a Mess[a] from the Hon[ble] Leut. Gov[r] Dunbar, (1) that it was his Excell[cies] order, this

(1) David Dunbar, a native of Ireland, was appointed Lieut. Governor of the Province in 1731, and also Surveyor General of the Woods. He had been a Colonel in the British service, but upon the reduction of the army his regiment was disbanded. He was afterward appointed Commander of the Fort at Pemaquid, which he called Fort Frederick, and he assumed the Government of the few inhabitants in that part of the Province of Maine. Being used to military discipline he

Assembly should be adjourn'd to the first Wednesday in Sept. next, and declar'd the Assem.

Adjourned accordingly.

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*Copy of Lt. Gov. Dunbar's Commission.*

[Copied from Vol. VI. Coll. N. H. Hist. Soc., p. 82.]

‡‡‡‡‡‡ ‡*Seal.*‡ ‡‡‡‡‡‡ GEORGE II.

George the Second by the Grace of God King of Great Britain, France and Ireland, Defend^r of the Faith, &c. To our trusty and well beloved David Dunbar, Esq. Greeting:

We, reposing especial trust and Confidence in your loyalty, courage and prudence, Do, by these Presents, Constitute and appoint you to be our Lieut. Gov^r of our Province of New-Hampshire, in New England, in America, in the room of John Wentworth, Esq. deceased. To have, hold, Exercise and Enjoy the s'd Place and office during our Pleasure with all rights, privileges, profits, perquisites, and advantages to the same belonging or appertaining; and further, in Case of the death or absence of our Captain General and Gov^r in cheif in and over our said Province of New Hampshire, in New England, now, and for the time being: We Do hereby authorize and impower you to Exercise and perform all and singular the powers and directions contain'd in our Commission to our said Capt. Gen^l and Gov^r in Chief, according to such Instructions as are already sent, or hereafter shall from time to time be sent unto him, or as you shall receive from us and from our said Capt. General and Chief Governor of our s'd Province of New Hamp^r, now and for the time being, And all and Singular our Officers and Ministers and loving subjects of our said Province, and others whom It may Concern, are hereby Commanded to take due notice hereof, and to give their ready obedience accordingly.

Given at our Court at St. James's, the twenty seventh day of February, 1730, and in the fourth year of our Reign.

By his Maj'ty's Comand,

Entered in the office of the Ld. Comiss^rs for Trade and Plantations, White Hall, 2^d April 1731.

David Dunbar, Esq. Lt. Gov^r of New Hamp^r.

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[P. 349.] Wednesday, Sept. 15^th 1731.

The House met according to Prorogation by Proclamation of his Excellencie.

A Quorum of the House being met and his Excell^y come to the Council Chamber, Mr. Secr^y came with a Mess^a from

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exercised his authority there with rigor. The proprietors of the lands applied to Gov. Belcher for redress, who issued his proclamation, requiring the inhabitants to submit to the Government of Massachusetts. Upon representation to the King in Council, Dunbar's authority was revoked. His appointment as Lieut. Governor of New-Hampshire was peculiarly disagreeable to Belcher, (1) and the contention which had

(1) See Correspondence, &c., in latter part of this volume. ED.

his Excell$^{y}$, that he required the attendance of the House at the Board.

Mr. Speaker and the House went up accordingly. His Excell$^{y}$ made a Speech of which Mr. Speaker pray'd a Coppy, had it and then Mr. Speaker & the House return'd.

The Speech was read, viz.

*Gen't of the Council & House of Representatives.*

You being now, conformable to my Prorogation conven'd in Gen$^{l}$ Assembly, I hope you will apply yourselves with good unanimity in the dispatch of the Publick affairs, and so as may most of all tend to his Maj$^{ties}$ Hon$^{r}$ & service, and to the lasting weal of his good subjects of this Province; and in such your proceedings, you will be always sure of my hearty concurrence. As I have it in command from his Maj$^{tie}$ to give all possible countenance to virtue and Religion, and also to encourage Trade and Comerce among you, I should be glad you would look back on what I have said to you (and the late Ass$^{m}$.) on those heads, and after you have carefully reviewed your Laws, I wou'd chearfully joyn with you in doing what may be still needfull on these accounts.

I wou'd at this time gen$^{t}$ againe recomend to you the settlem$^{t}$ of the Boundaries between this Province and the Mass$^{a}$ in the manner so wisely directed to by his Maj$^{ties}$ Royal Instruction. I assure you, I have no other Interest in the matter than to discharge my duty to my king in a faithful care of his People under my Goverment; and I am sorry the House of Representatives (at this Courts meeting in July last) did not in Fidelity to their Country, fall in with what his Maj$^{ties}$ Council so prudently voted for reviving the Comittee to meet at [p. 350] Newbury, and, protracting the time from June 22$^{d}$ to August following, or at least with the time the Massachusetts Assm. had agreed on, viz. the 13th July. This matter has been once and againe laid before his Maj$^{tie}$, and as yet no final Issue made upon it, That I think it must plainly appeare his Maj$^{tie}$ judges it best the affaire shou'd be adjusted between the two Goverm$^{ts}$ themselves; and I should be very glad to see all sinister views laid aside, and this great and publick good still pursu'd to a happy conclusion, and which you will see the Assm. of the Mass$^{a}$ Bay are desirous of by what they past at their last sitting, which shall be delivered you by the Secretary.

*Gen't of the House of Representatives.*

I shall order the Comiss$^{rs}$ of the Treasury to lay their accounts before you, that you may see the Expense of the Province since our last

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already commenced between them increased as long as Dunbar continued in the country. He was not allowed a seat in the Council. Shadrack Walton, the senior Councillor, in the absence of the Governor, presided at the Board. But Dunbar was commander of the Fort at Great Island; he had authority to grant passes to outward bound vessels, and licenses for marriages. From these several appointments he received about £50 sterling. As Surveyor General, £200, and the perquisites nearly £100.—[See *Ad. Ann. Portsmo.* pp. 158–159. *Farm. Belk.* pp. 226–334.] Ed.

meeting, for your better judging what further necessary supply must be made for the support of his Majᵗⁱᵉˢ Governᵗ & for the safety & Protection of his People.

*Gen't of the Council and House of Representatives.*

If you have any thing more than what I have mentioned to suggest for the Publick service, I shall be glad to do every reasonable thing on my part towards it; and since it will soon be a verry busy season, I doubt not you will, for your own sakes, as well as to save expence to the Province, give the best dispatch you can to every thing that may come before you.

Sept. 15ᵗʰ 1731. J. Belcher.

Voted, That Nathaniel Weare and Theo. Atkinson, Esq. be a Committee of this House to draw up an answer to his Excellys Speech, & present to the House for approbation.

Then the House adjourn'd to Thursday the 16ᵗʰ currᵗ

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[p. 351.] Thursday, Sept. 16ᵗʰ A. D. 1731.

The Answer to his Excellyˢ Speech bro't in by the Comittee was read and voted to be amended.

Post Meridiem

The Answer as amended read again & voted, accepted & sent up which was in the words following, viz.

*May it Please your Excellencie.*

We being now met according to Prorogation, in Genˡ Assem. we assure your Excelly we shall be unanimous in the dispatch of all the Publick affairs that shall properly ly before us, always showing a just regard to his Majᵗⁱᵉˢ Honʳ and the best good and Prosperity of his good subjects in this Province, which we imagine can't be Established upon a better Basis than Vertue and Religion, which we shall always countenance and encourage to the utmost of our Power.

As to what your Excelly has moved to us for encouraging Trade And Commerce amongst us, the want of a medium is the greatest hinderance.

As to the settlemᵗ of the Boundary Lines of the Governᵗˢ, we apprehend we have no other power to transact in that affaire than what is given and directed to by his Majᵗⁱᵉˢ Instructions, and whenever we depart from that, we exceed the power given us, and of consequence render fruitless and ineffectual all our attempts. Now your Excelly can't be unsenceible that we have once and againe passed such acts and votes as was directed by said Instruction; and tho' this house did not concurr with the vote of Council of the first July last past, we assure your Excelly it was done in great Fidelity to the Country we represent; and we believe to their satisfaction; and tho' we believe it would be pleasing to his Majᵗⁱᵉ to have the Lines settled between the two Governᵗˢ, yet we are assured it would be far otherwise if we should derogate from the method he hath so wisely prescribed, and which we

apprehend the Massachusetts hath not followed [p. 352] by their vote laid before us by the Secretary; and we assure your Excell'y that no sinister ends hath nor shall not be in view, neither in this nor any other affaire that shall come before us, which we imagine is far otherwise by the equivalent &c. mentioned in the above mentioned vote of the Mass$^{a}$.

As to the supply of the Treasury, when the Accounts are laide before us, we shall take it into consideration to do the best we can considering the circumstances of the Province.

Andrew Wiggin, Speaker.

Voted, That Nathaniel Wear, Theo. Atkinson and Joshua Pierce, Esqs. be a Committee of this House to joyn with a Comittee to be appointed by the Hon$^{ble}$ the Council, to meet a Comittee appointed by the Mass$^{a}$ at Newbury the 30$^{th}$ of Septem$^{r}$ curr$^{t}$ there to conferr and see, if they can calculate an Act to be passed by both Goverm$^{ts}$ in order to settle the Boundary Lines between the two Goverm$^{ts}$, and that the Comittee appointed by this Gover$^{mt}$ be instructed strictly to adhere to his Maj$^{ties}$ 77$^{th}$ Instruction to his Excell$^{y}$ Gov$^{r}$ Belcher, & exactly conform thereto in every article, and that they do not repaire to Newbury to meet the said Comittee appointed by the Mass$^{a}$ untill they shall be apprized that the Mass$^{a}$ goverm$^{t}$ have given the like Instruction to their Comittee.

*Provided* also, and it is the intent of this House and 'tis hereby voted accordingly, that in case the Mass$^{a}$ goverm$^{t}$ should not give their said Comittee such Instructions as shall be correspond$^{t}$ to his Maj$^{ties}$ Instruction to his Excell'y Gov. Belcher, relating to the Boundaries, or if it shall happen that the Mass$^{a}$ Comittee should not meet at the time abovesaid, or in case they should not agree upon the draught of an Act according to the said Instruction, That then and in such case the above mentioned Comittee from this Province, be impowered and directed to write home to the Right Hon$^{ble}$ Lords Comiss$^{rs}$ for Trade and Plantations giving an exact account of the proceedings of this governm$^{t}$ from time to time, and how far this Province hath acceeded to the settlem$^{t}$ of the Said Lines, and to [p. 353] transmit authentick copies of all acts and votes passed thereon, and to pray their Lordships favorable answer thereto, and that his Excelly be desired to do the same.

Sent up for concurrence.

Then the House adjourn'd to the 17$^{th}$ curr$^{t}$.

Fryday, Septem$^{r}$ 17$^{th}$ A. D. 1731.

Voted—That each Town and Precinct within this Province pay their respective Representatives chosen by them, out of their Town Stock, on a certificate from the Cler of the ass$^{m}$ as usual from the third day of X$^{r}$ 1730, at six shillings per day, and that each member of the Council be paid eight shillings pr day out of the Treasury from the same time, for the time of their sitting in Gen$^{l}$ ass$^{m}$. Sent up.

Post Meridiem

The above vote bro$^{t}$ down with amendment viz.

In Council, Eodem die.

Read and concurrd, with the following amendm$^{t}$, viz. That the Councils dayly allowance be ten shillings instead of eight and that the Representatives seven instead of six, and that both be paid out of the Treasury.

Read and nonconcurr'd and voted that the House adhere to their former vote.

The vote about the Lines bro't down for amendm$^{t}$ which was done and sent up. Then the House adjourn'd to Saturday the 18$^{th}$ cur't.

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Saturday Septem$^{r}$ 18$^{th}$ A. D. 1731.

A Petition of Jere Walford bro't down with a vote of Council thereon, read and concurr'd and the parties to appeare next Wednesday at 10 o'clock.

A vote for new Proportioning the Province Tax to continue for three years past both Houses.

A Petition of the minister of Oyster River was read and voted that he serve the Parrishon$^{rs}$ with a Coppy thereof.

A vote of Council about the lines sent down and read. Then [p. 354] Mr. Secretary by order of his Excelly adjourned the gen$^{ll}$ assembly to Monday the 20$^{th}$ curr$^{t}$.

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Monday 7$^{r}$ the 20$^{th}$ A. D. 1731.

The vote of Council bro't down Saturday was read, viz.

In Council Septem$^{r}$ 18$^{th}$ 1731.

Voted—That a Comitteee of Both Houses be appointed to meet a Comittee of the governm$^{t}$ of the Mass$^{a}$ at Newbury any time between the date of these Presents and the 12$^{th}$ day of October next, to confer and try whether they can

agree upon a Bill to be enacted by both goverm$^{ts}$ in order to settle the Divisionall Lines of the two Provinces, and that the Comittee of this Province strictly adhere to his Maj$^{ties}$ 77 instruction to his Excelly Gov$^{r}$ Belcher. But that they do not proceed to Newbury till they heare that the goverm$^{t}$ of the Mass$^{a}$ have given direction to their Comittee to conform their draught to the Royal Instruction in that regard made and Provided.

But in case the goverm$^{t}$ of the Mass$^{a}$ shall not see meet to give such directions to their Comittee, or if the Comittees should not meet, or meet and not agree, That then the Comitte of this Province do forthwith prepare coppys of all acts and votes passed on either side, and put them into his Excell$^{cies}$ hands, who is hereby humbly requested to transmit the same to his grace the Duke of New Castle, one of his Maj$^{ties}$ Principal Secretaries of State, and duplicates thereof, to the Right Hon$^{ble}$ the Lords Comiss$^{rs}$ for Trade and Plantations; and further that his Excelly be desired to make a favourable representation of the affaire to his Grace, and the Right Hon$^{ble}$ the Lords Comiss$^{rs}$ aforesaid.

Sent down for concurrence.

7$^{r}$ 20$^{th}$ read and nonconcurred.

A Petition of Wm Donnils was read and voted the prayer of the Petition be granted and that he has Licence for a House of Publick Entertainment till 7$^{r}$ sessions next & then to apply there for a licence as usual.

A Petition of Stephen Barton Read and a vote [P. 355] of Council thereon read and concurr'd and that he have a hearing next Thursday, he serving the Selectmen of New Castle with a coppy thereof.

A Petition of John Salter was read and a vote of Council thereon read and concurr'd and voted he have a hearing Thursday next. Then the House adjourn'd to the 21$^{st}$ curr$^{t}$.

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Tuesday, Septem$^{r}$ 21 A. D. 1731.

Voted—That Whereas Nathaniel Weare Theo. Atkinson and Joshua Pierce Esqs. are chosen a Comittee of this House to joyn a Comittee of the Upper House to meet a Com$^{tee}$ to be appointed by the Mass$^{a}$ at Newbury, to see if they can calculate an act according to his Maj$^{ties}$ Instruction for settling the Boundaries between the two governm$^{ts}$ & in case

they cannot agree, Then the said Comittee to represent the affaire home, by sending authentick coppys of all the votes and acts that have passed in this goverm$^{t}$ thereon.

Now that the assembly may be appriz'd of what the said Comittee shall write, voted that the said Comittee do not write any thing as from this Goverm$^{t}$ but what shall first be read and allowed of by this House, and that his Excelly be desired to adjourn this ass$^{m}$ to some time in October next to receive the said Comittees Report—That so they may have opertunity to act thereon. Sent up for concurrence.

Whereas Coll. Peter Weare, Esq. has sent into the ass$^{m}$ ninety pounds in several sorts of Bills of C$^{r}$ part of that money he had as Trustee, for exchanging the old Cyphered Bills of Credit of this Province, voted that the said Peter Weare be discharged of the said sum of ninety pounds.

## Post Meridiem.

Allowance of sundry debts made, viz.

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| to Eliz$^{a}$ Cross Expences at Proclaiming the Hon. David Dunbar's Comiss$^{n}$ | £29: 2: 8 |
| to John Newmarsh repairing the Fort Boat, | 5: 10: |
| [p. 356.] To John Shaw hauling Wheels, &c. to the Fort | £16: 0: 0 |
| To Stephen Greenleaf Expences of the Troops, | £ 2: 19: 0 |
| To James Jeffreys Sallary as Cler. Ass$^{m}$ to the 19$^{th}$ 9$^{r}$ 1731 | £15: 0: 0 |
| To Richard Neels acct | £ 3: 13: 6 |
| To Eleazer Russells acct. paper, ink, &c. | £ 6: 11: 0 |

Sent up and all concurr'd above.

## In Council, Septem$^{r}$ 21, 1731.

Voted, That a Comittee be appointed to meet a Comittee of the Mass$^{a}$ Bay at Newbury on Thursday, the last day of this present month, to confer and try whether they can agree upon a Bill to be Enacted by both Goverm$^{ts}$ in order to settle the Boundary Lines of the two Provinces, and that the Comittee of this Province strictly adhere to his Maj$^{ties}$ 77$^{th}$ Instruction to his Excell$^{cie}$ the Gov$^{r}$ in draughting the said Bill. But in case the Comittee of the Mass$^{a}$ should not meet our Comittee as above, or if they should meet our Comittee & not agree, that then the Comittee of this Province do forthwith prepare authentick coppies of all the acts, votes, &c. which have passed in this Province (in relation to this affaire) and likewise that they make a Draught of such Representation as they think proper, and lay the same before the Gen$^{l}$ Assembly for their approbation, and that his Excelly, the Gov$^{r}$ be humbly requested to transmit the whole to his Grace the

Duke of New Castle, one of his Maj'ties Principall Secretaries of State, and to the Right Hon^ble the Lords Comiss^rs for Trade and Plantations, in order to be laid before his Maj^tie in Council, and that his Excelly would be pleased to write in favour of this Governm^t in the said affaire, to his Grace and the Right Hon^ble the Lords Comiss^rs aforesaid, and that the said Comittee send home duplicates of the whole; and further, that his Excelly be humbly desiered to adjourn this Court to a short day in order to receive the Report of the Comittee as above.

The above read and concurr'd with this amend^mt, viz. that the Gen^l Assem. be adjourned to the 18^th of October next, to receive the Comittees Return as above

Then the House adjourn'd to the 22^d curr^t.

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[P. 357.] Wednesday, Septem^r the 22^d A. Dom. 1731.

Several debates about the old Cypher'd money.

Post Meridiem.

Coll. John Plaisted's account of the Cypher'd Money was exam^d, it appeared he had but £847 instead of £897: 6: 8.

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|---|---|
| He has bro't in and burnt | £746: 17: 10 |
| Comiss^n for exchanging at 5 pr ct. | 37: 6: 9 |
| Rem^a due £62: 18: 5 | |

Then the House adjourn'd to the 23^d currt.

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Thursday, Septem^r 23^d A. D. 1731.

A Bill for emitting £40,000 as past the House last sessions renewed and sent up. The House was sent for to the Board, for hearing on several Petitions. The House return'd. Jere Walford's Petition was read and voted, That as he can have no remedy at Comon Law, to have a rehearing as on the Petition. Mr. Secretary bro't down our vote of the 21^st curr^t about the lines to reconsider, and also a written Mess^a from his Excell^ce which he read and left, which is as followeth, viz.

*Gentm of the House of Representatives,*

On reading the vote you have sent up to his Maj^ties Council respecting the Lines betwixt this Province and the Mass^a I am obliged to observe to you, that his Maj^tie has reserved to his Gov^r the entire power of adjourning, proroguing, and dissolving all Gen^l Courts.

I would therefore caution you ag^t moving out of your own Line, and at same time assure you, I shall always use the power the King has

vested me with, as I shall judge may best advance his Majties service and the Interest of this Province. J. Belcher.

Sept. 23, 1731.

Upon reconsidering the vote of this House of the 21st currt relating to the Lines, Voted, that the vote of the Council of the 21st currt rela [p. 358] ting to the Lines, the concurr'd, with this amendmt, viz. That his Excelly, be desiered to adjourn this Assem. to some time i n October next, to receive the Comittee return.

Sent up.

Whereas there is the sum of about £1000 due to the Province and to be paid into the Treasury by May next,

Voted, That the same be paid into the Treasury for the paymt of the Province charges by Establishmt and allowances made by the Genl Assm. Then the House adjourn'd to the 24th currt.

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Fryday Septemr 24th A. D. 1731.

The vote made yesterday for paying a £1000 into the Treasy. Sent up.

Post Meridiem.

In Council, 7r, 24th 1731.

The above vote read, and voted a concurrence with the following amendmt, viz. That £6000 pounds Bills of Credit be imediately struck and £1000 of it forthwith signed, and put into the Treasury for support of the Goverm^t which £1000 to be againe bro't into the Treasury at £100 pounds a year begining 1732 & that the remaining £5000 lye in the hands of a Comittee, to be sign'd & Emitted from time to time as the Genll assm shall order, and that a Bill be prepared accordingly

Voted that Stephen Barton has Liberty to Bring in a Bill.

Voted that Jere. Walford has Liberty to bring in a Bill.

Then the House adjourn'd to the 25th currt.

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Saturday September 25th A. D. 1731.

The vote of Council for Emitting £6000 read and non-concurr'd and voted that the House adhere to their former vote

Whereas the act for Powder Money is expired, Therefore Voted, that the said act for payment of Powder Money be reviv'd, and to continue for three years ; all coasting vessels to be excluded paying, and all vessels belonging to the

Province of the Mass[a] to be excluded paying—*Provided* they exclude all coasters & vessels belonging to New Hampshire. [p. 359.] Whereas the High Sheriff has made Report to this House, that the Prison is out of Repaire, Therefore Voted, that Theo. Atkinson, Esq. and Mr. John Rindge be a Comittee from this House to joyn a Comittee of the Upper House, to view the Prison and repair it.

The vote of the Council of the 21[st] curr[t] bro't down with a vote on it for another amendm[t] viz. In Council 7[r] 24[th], Concurr'd with amendm[t] and Henry Sherburn, Richard Waldron & Benjamin Gambling, Esqs. appointed at the Board to joyne with Nathan[l] Weare, Joshua Pierce and Theo. Atkinson, Esqs. appointed by the House for the service before mentioned.

Read and concurr'd with this addition, that George Jaffrey, Joshua Pierce, Theo. Atkinson and John Rindge, Esqrs. be a Comittee from this House instead of the p'sons named above, to joyne with those y[e] Board appointed above. Sent up.

In Council, Eod[m] die.

Concurred with the amendm[t] with this addition, That as the House have chosen Geo. Jaffrey, Esq. on their part, and thereby have one more than the Council in the number of theire Comittee, Voted, That Nathaniel Weare, Esq. be joyned as one of the Comittee in behalf of the Board, that the number may be equal as has been usual and customary.

In the House read and concurr'd and sent up.

Mr. Secretary Waldron came down, and by his Excelly's order adjourn'd the gen[l] assembly to the 6[th] day of October next.

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Wednesday October the 6[th] A. D. 1731.

Mr. Secretary came down and said that by order of the President he adjourn'd the Gen[l] Ass[m] to the 7[th] curr't.

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Thursday, October the 7[th], A. D. 1731.

The Comittee that went to Newbury, to meet the Comittee of the Mass[a] about the Lines, according to the vote of this Gen[l] Assem. September 25[th] 1731, made their Return and also two draughts to be sent home, one to his Grace the Duke of New Castle, the other to the Right Hon[ble] the Lords

Comiss^rs for Trade [P. 360] and Plantations; all which was read in the House as follows, viz.

*May it please your Grace*—The great difficulty attending the settlem^t of the Divisional Boundaries between this Province and that of the Mass^a Bay lays us under a necessity of troubling your Lordship at this time, to implore your Grace's interest and friendship in making such a representation of this unhappy affair to his Maj^tie in Council, as may produce an impartial adjustm^t of a long standing and grevious Quarrel as soon as may be consistent with his Maj^ties Royal Pleasure.

Imediately after his Excell^cie the govern^r was pleased to comunicate to us his Maj^ties Royal Instruction in relation to this affaire, We past an act in conformity thereto, appointed comiss^rs to settle the Lines, &c which the gen^l assembly of the Mass^a did not see fit to agree with, But passed an act very different from ours, and as we conceive much in Prejudice of this Province, which we (therefor) could not agree with: then we proposed a Comittee of each goverm^t to meet and try whether (conferring together) they could not agree upon Preliminaries for a Bill to be drawn and enacted by both goverm^ts, and Comittees were chosen and did meet & try to agree, &c.

But this attempt had no better success than the former essays. For the Mass^a Comittee were instructed by their gen^l assembly to insist upon having Property and Jurisdiction as far as their auntient grants extended, which, if conceded to would bring the northern Boundary of that Province Eleaven miles and three quarters (at least) to the northward of Merrimack, instead of three miles, which is the Boundary fixed by their charter;—by all which your Lordship will plainly discover that the settlem^t of the Lines here are impracticable. Wherefore we pray it may have a finall determination at home.

*May it Please your Lordship*—

[P. 361.] In order to a more full & p'fect understanding of the whole affaire, we have presumed to put under cover with this a coppy of all that has passed in relation to this matter since the receipt of his Maj^ties Royal Instruction before mentioned, we humbly request the Importance of the subject we write of (with respect to this Province) and the grand inconveniencey & difficulty we are strugling with on the account of this unfortunate misunderstanding between the two goverm^ts may in som measure appollogize for the great trouble now given your Grace, by, may it please, your Grace's most, &c.

The foregoing is a Draught of a Representation made pursuant to a vote of Gen^l assembly, 7^r 25, 1731. (1)

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|---|---|
| George Jaffrey, | Nath^l Weare, |
| Henry Sherburn, | Joshua Pierce. |
| Rich^d Waldron, | Theo. Atkinson, |
| Benj^a Gambling, | John Rindge. |

In Council, October 7, 1731.

The aforegoing Representation read & accepted.

Eod^m die. In the House, the above read, accepted, and concurr'd with the vote of Council thereon.

(1) See correspondence, in latter part of this volume. ED.

## Post Meridiem.

Pursuant to vote of Gen[l] Assembly made and passed 7[r] the 25[th], 1731, We the subscribers met a Comittee of the Mass[a] at Newbury, the 30[th] of said month, to try whether we could agree upon a preliminary Bill for setling the Divisional Lines of this and that Province; but to no purpose. For the Instruction of the Gen[l] Ass[m] of that Province had given their Comittee were much streighter and more ag[t] the Interest of New Hampshire, than the act which that Goverm[t] passed the 10[th] of February, 1730; which the Gen[l] Ass[m] of this Province could by no means agree to. For in the Instruction the Mass[a] Comittee are directed that provision be made in the Bill, That all such lands or Towns which either Goverm[t] are in Pos....sion off, or improvem[t] of by virtue of any auntient Grants, be reserved to the several Goverm[ts], both as to Jurisdiction and Property;—which if agreed to would bring the Dividing Line (according [p. 362] to our understanding) at least Eleaven Miles & ¾ to the northward of Merrymack, instead of three miles, which we utterly refused to comply with, especially, as to jurisdiction; insisting that the line which the Comiss[rs] should fix, should be but three miles to the northward of Merrimack River, according to the intent of their charter, for their Boundary. as to the Jurisdiction, whatever we might consent to in respect of Property. Then those Gen[t] told us they could not act any further as a Comittee, for as they had particular directions, they were obliged to conform to 'em.

However they proposd that as they and we were members of the Gen[l] Assemblies of the two Provinces (Laying the matter of Jurisdiction aside) to try whether we could agree with respect to Property and Equivalents; upon which we offered to their consideration the giving and receiving Equivalents for all such lands as had been improved within fence twelve years, by planting, sowing or mowing, Provided such Land had been granted by the Town in which it lay, and the Grant & Return of Laying out fairly entered in the Town Book ten years: who in reply thereto told us they could not think we had offered any way reasonable;—which concluded our conference.

Henry Sherburn, Benj[a] Gambling,
Richard Waldron, Nath[l] Weare,
Theodore Atkinson.

In the House of Representatives, Read and accepted & sent up.

Whereas this Goverm[t] hath for many years past done their utmost endeavour to settle the Boundary Lines between this Goverm[t] and that of Mass[a], and have passed such votes and acts as we conceive will (by every impartial person) be tho't & acknowledged verry reasonable on the part of this Goverm[t], which as yet hath not had the desiered effect: Having lately been defeated in our Endeavours at Newbury, as doth appeare by the Returne of the Comittee sent there by this Goverm[t], to meet a Comittee of the Mass[a] Goverm[t], and upon that, this Goverm[t] made an humble Representation to his Grace the Duke [p. 363] of New Castle and the Right Hon[ble] the Lords Comiss[rs] for Trade and Plantations:

And this Goverm$^{t}$ haveing at present no agent in Great Brittaine to forward that affaire, and Capt. John Rindge (1) being about to go to Great Brittaine, and several private persons (as Friends of this Goverm$^{t}$) having offered to supply with money for defraying the charges.

In the House of Representatives

Voted, That the said Capt. John Rindge be chosen and appointed by this House as an Agent to Represent this Province at the Court of Great Brittaine, & that he hath full power and authority as this House can give about the Premises; and if it should so happen that the said John Rindge by any means should not be able to attend the said Business, That then he have a power of appointing, and in the name of this House of desireing any such person as he shall think proper to aid & assist him in those affairs, and that the Clerk of this House furnish him with those Copyes as are voted to be sent to his Grace the Duke of New Castle, and the Right Hon$^{ble}$ the Lords Comiss$^{rs}$ for Trade and Plantations.

October 7$^{th}$ 1731. Sent up for concurrence.

In the House of Representatives

Whereas the vote of this House this day for appointing Capt. John Rindge Agent for this Goverm$^{t}$ as far as this House could impower him, was sent up to the Council for concurrence and approbation, and this House having not heard whether the Council will joyne in that affaire with this House or not, and that the matter might not fall to the ground, *Voted*, that the said John Rindge be impowered by this House as their Agent, and be invested with the powers in said vote mentioned, and for the ends therein mentioned.

October 7$^{th}$, 1731.

(1) Capt. John Rindge was a merchant of Portsmouth, and about to take passage for London on his mercantile business. Being opulent, he advanced what money was necessary to prosecute the design of his appointment. On his arrival in England, he petitioned the King in behalf of the Representatives of New-Hampshire, to establish the boundaries of the Province, which Petition was referred to the Board of Trade. Having accomplished his private business, and being obliged to return home, Capt. Rindge left the care of the Petition with John Thomlinson, Esq., a merchant of London, who was well known in the Province, and he employed Ferdinando John Parry as Solicitor for the petitioners. Ed. See *Ad. Ann. Ports.*, p. 160, and *Farm. Belk.*, p. 229.

Papers voted to be drawn out and sent home, viz.

[P. 364.] A vote for a Comittee to settle the lines, Aug. 29th, 1730.

A Mess[a] sent to the Gov[r] to know what the Mass[a] had done & y[e] answer, & our vote thereon, 9[r] 19th, 1730.

Another vote for a Comittee & a Comittee to draw up a Bill and six men chosen as Comiss[rs].

A vote to chuse other Comiss[rs], 9[r] 21, 1730. Another vote for 3 Comiss[rs], 9[r] 24th, 1730.

A Bill drawn according to the last vote, 9[r] 24th, and enacted X[r] 3[d], 1730.

The Mass[a] Bill bro't down in April Sessions, 1731. The Objections drawn up ag[t] the Mass[a] Act—The adhering of the House to their own Act of April 25, sent up May 4th 1731. Provision made by the House in case of a third man & amendm[t] of our Act. Return of the Comittee from Newbury. A vote about suspending Law suits on the Borderers, Refuseing to choose a Comittee, But vote to cóme into some other method, July 1, 1731.

In the House of Representatives,

Voted, That the above mentioned votes and Acts be fairly transcribed and sent to Great Brittaine according to the vote of the House, 7[r] 21, 1731. Sent up for concurrence.

In Council, 8[r] 7th, 1731.

The within vote read and concurr'd with the following amendm[t] viz. That the Acts and votes to be sent home be only such as have been passed by all three parts of the Legislature.

Eod[m] Die. In the House of Representatives

The above vote read and non-concurr'd and voted that the House adhere to their former vote.

Mr. Secretary came down with a Mess[a] from Mr. President, and by his order declared the Gen[l] Assembly Prorogued to the 25th of February next.

[About this period, 1731, the following Address was sent to his Majesty, the King.]

(Copied from "Addresses to the King" in Secretary's office.)

*To the Kings Most Excellen't Majesty*

We your Majestys most Dutifull and Loyall subjects, the members of your Maj[tys] Councill, Judges, Justices of the Peace, Sheriffs, under Sheriffs, Coroner, Collector & Naval officers and sundry others, Chief officers of the Militia & Principal Inhabitants & Freeholders of your Majesty's Province of New Hamp[r], in New England, In America, whose names are hereunto subscribed, Crave leave to Implore your Majesty's paternal reguard to this Province in the following Humble Address.

*Most Gracious Majesty.*

It is now about a year since your Majestys Royal Commission appointing his Excellency Jonathan Belcher, Esq. to Represent your Majesty's Royal Person at the Head of this Government, was opened & published amongst us to our universal Joy and Satisfaction, not long after which the Council & Representatives of y^e^ Said Province, Convened in General Assembly, most humbly addressed your Majesty (1) (as in duty bound) on that very occasion, Expressing (with great Truth) the utmost gratitude of this people for such a Royal Benignity & Earnestly Supplicating the continuance of your Majesty's grace & favour in Continuing a person so well accomplished for a Governour & so acceptable to the people to Rule over us: Notwithstanding which some Restless Persons, for about three weeks past have been Endeavouring to Disquiet the minds of the weaker sort amongst us, In order to memorial the Governour to the Right Honourable the Lords of Trade & Plantations, as a person not a friend to the Province, & to pray that New Hamp^r^ may be no longer under the Governour of the Massachusetts Bay, which Essay, may it please your Majesty gives birth to the present address,—For in Duty to our Sovereign, in Honour to our Governour, In faithfulness to the Province & in Justice to ourselves, we cannot be Dumb on such an occasion; but most humbly crave leave to bear Testimony against an attempt (tho' never so unlikely to succeed) which tends to sap the very foundation of our Happiness.

*May it Please your Majesty*, Your Maj^tys^ Councill can witness the Governours solicitous concern for the settlement of the Divisional Lines between the Two Provinces & his unwearied Endeavours to accomplish it with the strictest Impartiality, w^ch^ is what we earnestly supplicate may have as speedy an Issue as is consistant with your Maj^tys^ Royal Pleasure; for the longer that Difference lyes open the greater are the mischiefs which attend it.

But to return to his Excellency, What is it that we can't all say (without a compliment) Even the little number of Discontented themselves, in praise of a Governour whose administration is so wise, so just, so equal & to such universal acceptance, & who will without any question make such unbiased remonstrances to your Majesty upon this unfortunate misunderstanding as may be a means at last to bring it to a happy issue.

*May it please your Majesty*, This your Majesty's Province is so small, the people so few, and in general so poor, that it makes the settlement of the lines still more necessary & is no bad argument to Enforce our humble request for being continued under the Governour of the Mass^a^ Bay, & especially him who is at Present, & we humbly hope will long continue in that Station; for we have done our utmost already even to our almost undoing in fixing so large a sum for the Governours Salary, pursuant to your Majestys Instruction, & if more should be required to support the Dignity of a Resident Governour, we can foresee nothing but Inevitable ruin, & besides if we should again be visited with a French or Indian War, or Both, (as at this Juncture we are threatened) Then yet more Deplorable would our condition be, for now we can ask succours (as occasion may require) from the common father of both Provinces with hopes of success, but how it may be upon a different

(1) See Page 584 of this Volume. Ed.

footing God alone knows. Numberless argum$^{ts}$ we humbly conceive might be used to Induce your Majesty's favour in continuing us under our Present Governour, but your Majestys consummate Wisdom as well as Goodness makes them unnecessary, & as we know what has been offered (by any who are the Troublers of our Israel) by way of Impeachment of his Excellency's conduct, can't fail of redounding to his Honour (Even without a reply) so we shall attempt no particular answer, but leave that to himself, if he shall think it worth his while.

In conclusion, We pray your Majesty may have a long & Glorious reign upon earth, & when the period of mortal Life expires, that your Majesty may be Translated to the mansions of bliss & there reign with the King eternal for ever and ever.

In humble obeysence we now withdraw from your Majesty's Presence & are with the profoundest veneration.

May it please your Majesty,
Your Majesty's
Most Loyal,
Most Dutiful,
Most Obedient,
And faithful
Subjects & Servants.

[No signatures. See Correspondence, &c., the latter end of this volume.] Ed.

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Thursday May 4, 1732,

The House met according to Prorogation by his Excellencies Proclamation.

A Quorum being met his Excel$^{y}$ sent a Mess$^{a}$ pr Mr. Sherrif Russell for the House to adjourn to the 5$^{th}$ curr$^{t}$.

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[p. 365.] Fryday May the 5$^{th}$ 1732.

A Mess$^{a}$ pr Mr. Secretary That his Excell$^{y}$ required the attendance of the House at the Board. Mr. Speaker and the House went up accordingly. His Excell$^{y}$ made a Speech. Mr. Speaker pray'd a coppy thereof, had it and then return'd with the House. His Excelly$^{s}$ Speech read, and is as followeth, viz.

*Gent of the Council,*
*and House of Representatives,*

This being the usual season for your Spring Sessions, I am come to attend his Maj$^{ties}$ service, and to concurr with you in every thing that may have the best tendance thereto, and to the lasting Weal and happiness of this Province, and I shall be glad you may be met at this time to pursue those good ends with chearefulness and unanimity, and that there may be no struggles or contentions among you, but who shall most of all approve his duty to the King, and his Love to his Country; and for my own part I can assure you I have no other views or interest to seek among you.

If you have any thing further to offer on the old affaire of the Lines between this and the neighboring Province, I shall be ready to fall in with any reasonable measures for the peace and advantage of this Province.

Since I last met you, I have received his Majᵗᶦᵉˢ Royal Instruction respecting Negroes and Felons, that may be imported into this Province,—a coppy whereof shall be delivered you by the Secretary, and to which we must conform ourselves for the future.

*Gentlemen of the House of Representatives,*

By the small account which the Comissʳˢ of the Treasury will lay before you, you will see there is no money in the Treasury, and I doubt not you will think it inconsistent with the safety and Honʳ of his Majᵗᶦᵉˢ Governᵗ, or the Peace and Welfare of his subjects, for the Treasury to remaine empty, and that you will therefore in duty to the King, and in a just regard to this People, make the necessary supply to the Treasury as early as may be this Sessions.

*Gent of the Council & House of Represent*

[p. 366.] A close application to the Busyness of the Sessions will prevent all unnecessary expence to the Province, and soon give you the oppertunity of returning to your private affairs, in the Prosperity whereof, as well as those of the Publick, I shall always have pleasure and satisfaction. J. Belcher.

Portsmouth May 5ᵗʰ 1732.

Voted that every Town, Parrish & Precinct within this Province shall bring in the p'sons names, and their Rateable estates carryed off agᵗ their names.

Post Meridiem

The Invoices of several Towns were read

Then the House adjourn'd to the 6ᵗʰ currᵗ.

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Saturday May the 6ᵗʰ, A. D. 1732.

Ordered that the Clerk write to *Carle?* Gillman of Exeter to appeare Wednesday next to make out the Invoice he has given in.

Ordered That all persons that were to appeare this day to attend the Assᵐ do appear next Tuesday.

Voted That Nathaniel Weare & Theo. Atkinson, Esq. be a Committee of this House to draw an answer to his Excellʸˢ speech and present it to the House for approbation.

Then the House adjourn'd to Monday the 8ᵗʰ currᵗ.

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Monday, May 8ᵗʰ A. D. 1732.

Sundry debates about the Proportioning the Towns & supplying the Treasury. The House adjourn'd to the 9ᵗʰ currᵗ.

Tuesday May the ninth, A. D. 1732.

A Petition of the Inhabitants of the East End of Kingstown and West End of Hampton Falls, praying to be set off of a P'ish was read & ordered the several P'ishes to be serv'd with copies.

Post Meridiem.

Stephen Jones of Oyster River declared that when his father's house was burnt, he had burnt in his Chest in said house [p. 367] forty two pounds of this Province Money. Sworn to in the House.

The House adjourn'd to the 10th curr$^{t}$.

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Wednesday May the 10th A. D. 1732.

The Comittee bro't in an Answer to his Excell$^{ys}$ Speech, which was read & voted, accepted and sent up in the words following, viz.

*May it please your Excellency*

We beg leave to assure your Excell$^{y}$, that we are now met to attend his Maj$^{ties}$ service in this Sessions and to do every thing that may tend to his Maj$^{ties}$ service and the Prosperity of his good subjects within this Province whom we represent; and this we shall do with chearefullness, and hope with unanimity, having no sinister ends or double views, and hope there will be no strugles nor contentions.

As to the affaire of the Lines, we apprehend this Goverm$^{t}$ has done every reasonable thing to accomodate that matter in a Peace between the two Goverm$^{ts}$, and in order to do this have exceeded his Maj$^{ties}$ Instruction to your Excelly in that affair; tho' this House thinks it absolutely necessary that something should be speedily done in compassion to the Poore People that inhabit neare the controversy; for sundry suits have been comenced ag$^{t}$ the People of Londonderry and Kingstown, and the people carried into the county of Essex in the Mass$^{a}$ Goverm$^{t}$ to be tried for Trespass comitted at least twelve miles North from Merrimack, and this at their last Court at Ipswitch; and those suits upon the controverted lands have already cost one of those Towns, by a moderate Computation, at least Eight hundred pounds: Wherefore we humbly pray that your Excelly would put a stop to these proceedings until the Lines shall be settled at home, which we hope will not be long, seeing it could not be accomodated here; and to this end, this House did empower Capt. John Rindge to represent that affaire to his Maj$^{tie}$ in Council and [p. 368] humbly pray his decision.

We have considered his Maj$^{ties}$ Instruction relating to an Impost on Negroes & Felons, to which this House answers, that there never was any Duties laid on either, by this Goverm$^{t}$, and so few bro't in that it would not be worth the Publick notice, so as to make an act concerning them.

As to the supply of the Treasury, when the Treasurers shall lay before us their accounts and estimates, we shall do every thing that shall

be consonant with our Duty to the King, still shewing a just regard to y^e^ Liberty & Safety of the People whome we represent; and if any such way can be found to supply the Treasury, this House will readily grant it. But our circumstances are so that if there should be an additional tax upon the Poles and Estates of the Inhabitants of this Prov: it would have a great^r^ tendency to fill the Publick Goals than supply the Treasury. This plainly appears by the several Constables of this Goverm^t^ being indebted to the Treasury, and those Collectors too, no doubt have been necessitated to use money (collected for other uses) to pay the Province Tax. These circumstances of the Province being duly weighted & considered, we doubt not your Excelly will be of opinion some other Method must be found out for supplying the Treasury.

And, may it please your Excelly, we hope we shall give the necessary dispatch to the Busyness of Sessions, that the season of the year requires. Andrew Wiggin, Spe^r^.

May 10, 1732.

A Petition of the Inhabitants of Greenland praying the Privilege of having a Representative, read and voted the Prayer of the Petition be granted. A vote that Oyster River be a P'ish by the name of Durham and that they have liberty to bring in a Bill accordingly. The House adjourn'd to the 11^th^ curr^t^.

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Thursday May 11^th^ A. D. 1732.

Voted that Stephen Jones be paid out of the Public Treasury [p. 369] forty two pounds, out of the money now to be Burnt, in view of what he had burnt in his chest aforesaid.

Paul Gerrish, Esq. had Liberty to be absent upon Extraordinary occasions. Coll. Peter Weare bro't in £20 : 10 part of the money he had as Trustee & delivered it to the Treasury by order of Gen^ll^ ass^m^.

Post Meridiem.

Voted—That Mr. Bart. Thing and Capt. Thomas Millet be a Comittee of this House to joyne a Comittee of the Upper House to tell over the money that is to be burnt this sessions. The House adjourn'd to the 12^th^ curr^t^.

---

Fryday May the 12^th^ A. D. 1732.

There was bro't and burnt in the gen^ll^ ass^m^ of the Province Tax for the yeare 1731, nine hundred and thirty six pounds, & £19 : 6 : 6 by Mr. Treasurer Sherburn, and the said Treasurer is hereby discharged of the said sums Also there was bro't in by the said Henry Sherburn of the old cypher'd

Bills & Burnt £165 : 9 : 9, and the said Henry Sherburn is hereby discharged of the said sume.

Voted That Joshua Pierce, Esq. be Recorder of Deeds for the Province of New Hampsh$^{r}$ for one yeare from the end of this sessions and until the End of the sitting of the next Gen$^{ll}$ Ass$^{m}$ after the yeare is up, & until another is chosen & sworn, and that he enter upon on all Deeds he records & copies he gives out the sum he takes for the same.

Post Meridiem.

Voted that an Act for Excise upon Liquors be drawn up after the same manner of the last act, and to continue for three years, and That Joshua Pierce and Theo. Atkinson, Esqs be a Comittee of this House to joyne with a Comytee of the upper House to draw up said act, and also to Farm the same to the Highest Bidder at Public Vendue.

Voted that the Bonds of the seventeen hundred and thirty pounds be put into the Treasurer's hands, and that he forthwith receive the Interest due thereon and endorse the same on [P. 370] each Bond as received, and that he also demand and receive the Principle of each p'son that it may be bro't in and burnt in the fall sessions.

Allowances made

| | | |
|---|---|---|
| To | Benj: Akerman, doorkeeper | £ 10 |
| | Jere Libby, repairs of the Prison | £ 13: 4: 8 |
| | Benj$^{a}$ Rust, Rent of the Court House, | £ 16 |
| | Michael Whidden, Repairs of the Prison | £ 4: 13: 4 |
| | Stephen Greenleaf expences | £ 2: 19: |
| | John Trundy hauling Plank &c to the Fort | £ 1: 6: 8 |
| | James Jeffry as Cler. Assm. 1 yeare, &½ | £ 22: 10 |
| | The two sherrifs | £ 15 |
| | Rich$^{d}$ Waldron as Secretary | £ 75 |
| | Mr. Sheriff Wibird, Locks for the Prison, & erecting a Pillory at Exeter, | £ 6: 7: 6 |
| | James Jeffrey assisting the kings att$^{y}$ trying the Criminals at Exe$^{r}$ | £ 2: |
| | | £169: 11 2 |

Money due to the Province to be brought in, viz:

| | | |
|---|---|---|
| Excise | for the yeare 1729 | £ 60: |
| | for the yeare 1730 | £ 87: 10 |
| | to May next for 1731 & 1732 | £402: |
| Due from Hughes Estate | | £250: |
| Interest of the 1730£ to April 1732 | | £ 86: 10: |
| Ball$^{a}$ of the Treasurer's acct. | | £ 71: 7: 4 |
| Due from John Penhallow | | £113: |
| | | £1070: 7 : 4 |

| To be paid, viz. | |
|---|---|
| The allowances made as above | £169 : 11 : 12 |
| To his Excelly | £300 : |
| To the officers and soldiers at the Fort | 75 : |
| For wolves | 40 : |
| Juries | 9 : |
| | £593 : 11 : 2 |

[p. 371.]

Whereas by the above estimate of allowances and payments it appears there will be money en° to put into the Treasury to pay the present allowances & dues from the Province: Voted that these several p'sons be allowed and paid out of the Publick Treary the several sums as set off.

The House adjourned to the 13th curr$^{t}$.

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Saturday May 13th A. D. 1732.

The vote for Allowances sent up. The Act for Durham to be a p'ish sent up. The Act of for Excise past on and sent up. The vote for the Interest of the £1730 sent up, and the Act for Proportioning the Towns sent up.

Mr. Secretary came down, and by his Excell$^{ys}$ order adjourn'd the general assembly to Monday 15th curr$^{t}$.

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Monday May 15th A. D. 1732.

A Quorum of the House being met a Mess$^{a}$ came for Mr. Secretary that his Excelly required the attendance of the House at the Board. Mr. Speaker and the House went up accordingly. His Excell$^{y}$ was pleas'd to assent to the enacting.

An act for making the Precinct of Oyster River a Parrish by the name of Durham.

An act for Excise on Liquors.

An Act for proportioning the Towns as to Province Taxes.

Then the Speaker and the House return'd.

In Council, May 15th 1732.

Voted that Henry Sherburn & Jotham Odiorn be a Comittee from this Board to joyn a Comittee to be appointed by the Hon$^{ble}$ House of Represent$^{s}$ to examine the accounts and make return to the gen$^{ll}$ assm. for acceptance.

In the House read and concurr'd and voted that Theo.

Atkinson, Esq. & Mr. Bart. Thing be a Comittee from the House to joyne the above Comittee for the end aforesaid.

Then the House adjourn'd to the 16th curr$^{t}$.

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[p. 372.] Tuesday May 16, A. D. 1732.

A vote bro't down pr Mr. Secretary, viz.

In Council May 15th 1732.

Whereas there is a vote . . . was passed by the House of Representatives on Saturday last which was concurr'd with the same day in Council and has since been assented to by his Excell$^{y}$ the Governour for putting the Bonds for £1730 into the Treasurer's hands and requiring the Treasurer forthwith to receive the Interest due on them and afterwards to demand and receive the Principle sums, to be bro't into the Assm. and Burnt next fall,—and whereas the authority given the Treasurer by the said vote is only to demand and receive, which the Council conceive is insufficient to answer the maine end intended by said vote.

Therefore, Voted, that the Treasurer or Treasurers for the time being, after demand made of Principall & Interest due upon the said Bonds, do forthwith put the same in suite in a Course of Law ag$^{t}$ such obliger or obligers, as shall neglect or refuse paym$^{t}$, such suit or suits to be comenced at the next Inferiour Court in June next.

Eod$^{m}$ Die. In the House of Representatives, Read and non-concurr'd.

Eod$^{m}$ Die. In Council this vote is recomended to the Hous's further consideration & it is proposed that the Treasurer be rewarded for his service as the Gen$^{ll}$ Assm. shall hereafter think propper.

In the House of Representatives, the last vote of Council was read & non concurr'd and voted that the House adhere to their vote of the 12th curr$^{t}$

Whereas by the Estimate made the 12th curr$^{t}$ it appears there will be above £1000 to be bro'$^{t}$ into the Treasury and not above £600 to be drawn out

Therefore Resolved, the said sum of £1070 : 7 : 4, be for the supply of the Treasury & for payment of the charge of the Goverm$^{t}$ as allowed by Gen$^{ll}$ Assembly.

A vote past the House for emitting £1000 to be bro't in by a Tax on the Poles and Estates of the Inhabitants

[P. 373] of this Province in the year 1744. Sent up for concurrence.

Eod^m Die Mr. Secretary bro't down the same vote, with a Mess^a that his Excellency cannot make money to go beyond the year 1742.

Post Meredíem

The High Sherrifs came into the House and represented that the Prison yard, the fence thereof, ought to be repaired for People do often bring Instrum^ts thro' the yard to the Prisoners for helping them to escape, and has actually endeavoured to assist those now in Prison for counterfeiting the money, to make their escape.

Then the House adjourn'd to the 17^th curr^t

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Wednesday May 17^th A. D. 1732.

Theo. Atkinson bro't in his account of the receipts and discharge of Powder from 1727 to 1729.

| | |
|---|---|
| Ball^a due to him | £ 28: 5:11 |
| And by paym^ts made as per his account | £232:18:10 |
| | £261:04: 9 |
| Dr. for Ambler's and Hughs's Money yet in his hands | £246:11: 3 |

There were brought into the Gen^ll Ass^m by the Comittee for telling over the money to be burnt the sum of three hundred fifty six pounds eleven shillings and nine pence halfe penny, of the £15000 loane money received of Geo. Jaffrey, Esq.

Then the House adjourn'd to the 18^th curr^t

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Thursday, May the 18^th A. D. 1732.

Voted, That the Interest Money now due on the Bonds for the £1730 be forthwith bro't into the Treasury for defraying the Publick charges and that the several p'sons bring in their said sums of the £1730 to the Speaker of the Assembly for the time being, or that the several p'sons renew their Bonds at 6 per ct and that the Interest be paid into the Treasury next April for the ends aforesaid, and that if any p'son refuse forth^wth to pay this Interest due or renew his Bond at 6 pr Ct. and pay his Interest now due such p'sons Bond to be imediately put [imediately put] in suit by the speaker for the time being.

Sent up for concurrence

[P. 374.] Voted That Mr. Treasurer's accounts be accepted. Money outstanding in several Constables hands as pr the Treasurer's Accounts, viz. Constable of Gosper, £16 : 16. Constable of New'rket, £18 : 17 : 6. Constable of Newington, £9. Total £44 : 13 : 6.

A Mess$^{e}$ from his Excellency pr Mr. Secretary, viz. That his Excell$^{y}$ required the attendance of the Speaker and the House in the Council Chamber. Mr. Speaker and the House went up accordingly.

His Excelly made a Speech. Mr. Speaker obtained a Coppy as followeth, viz.

*Gentlemen of the House of Representatives.*

I have consented to every thing that has been passed by his Maj$^{tie's}$ Council and your House, and I am sorry the great Business of the Sessions (the supply of the Treasury) remains undone, notwithstanding I have so early and so often recomended it to your especial care, as a matter more imediately belonging to your House, and I have been patiently waiting many days in hopes of your coming to a proper sence of your duty to the King & to a tender regard of the good people of this Province, in this Article; yet after all, I find you are resolved to make no supply of the Treasury, that can be agreed to by his Majesty's Council or by me, which is to say you will make none, and this you presist in under a pretence of the difficulty that the supplying the Tresury in the usual manner might bring on the Inhabitants. But how specious and vaine is such an *amus'mt?* when a Tax of £1000 for the present yeare would be sufficient, and in time of War it has been common for the Province to pay a Tax of 2 or 3000£ a yeare without any complaint, altho' the Inhabitants were then far less in number, and their lands not cultivated or improv'd to any degree as they now are. I find, therefore Gen$^{t}$ that the Assurance you gave me at the Beginning of this Sessions of your doing every thing that might tend to his Maj'ties service and the Prosperity of his subjects, were only words of course, and on which there was to be no dependence.

[P. 375.] By the Treasurers accounts and the estimate laide before you, you are sensible of the Debts already due from the Province, and what may be the growing charge of the curr$^{t}$ yeare; and you must also know your refusing to make the necessary Provision for discharging them, is in open violation of your own laws & doing publick Injustice to all those to whome you are indebted, and it is exposing the King's Goverm$^{t}$ and his People to the utmost hazard & confussion, for neither of them can be in safety and Peace without the usual and necessary supply of money.

*Gentlemen.*

Since what I have said do's not proceed from any p'sonal views, or from a reguard to my own Salary, which is provided for, for some time to come, by the Laws you have made; But from a pure aim at the safety of the King's Goverm$^{t}$, and at the good and welfare of the People, I have no doubt of its haveing due weight with all those who

would approve themselves true lovers of their country, by always conforming themselves to the dictates of Reason and Justice.

May 18th 1732. J. BELCHER.

Then Mr. Secretary, by his Excellency's Order Declared the Assembly DI'SOLVED.

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*Governor's Order about £15,000 loan.*

[From MS. Corr. in Secretary's office, Vol. I, p. 69.]

*Gentlemen.*

The time being expired for the payment of the fifteen thousand pounds loan, and not half of the sum being yet paid to the General Assembly to be burnt, tho' it was provided in the Act pass'd the fifteenth of May, 1729, That the then outstanding debt should be paid, one third at or before the 25th of July, 1729, another third at or before the 25th April, 1730, and the last third at or before the 25 April 1731, and that those who did not make the first of those payments should have no benefit of the said Act, but Extents should go against the land of such delinquent, yet so it is, That many persons made default in complying with the said first payment, yet no Extents have been made upon the mortgaged lands of such Delinquent, according to said Law; and since the term limited in the said Act expired, another year has passed away, and the money not yet paid in by one half; It is therefore my express order and direction, that you do forthwith, laying aside all excuse, and without any delay, render me an exact account of the state of that loan from your last account, and that you strictly persue the rules and directions of the law in making sale of the mortgaged lands, so that the outstanding bills of that loan may be, with all possible dispatch, consumed to ashes, according to the tenour of the Law: his Majesty having been pleased to command me to see the same effectually done, according to the periods & provisions of the sd Acts.

Dated at———— the ———— day of——— & in the fifth year of his Majesty's reign.

Sent May 26th 1732.

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*A remark or two on the Representation of the Right Honourable the Lords for Trade and Plantations.*

[From MS. Corr. in Secretary's office, vol. I, pp. 75–78.]

That the Governour gave orders to the Captain of the Fort not to suffer Col. Dunbar to enter there as Lt. Governour, is not rightly represented: The order intending no more than that the said Dunbar should not enter as Comander-in-Chief, to take the comand of that Garrison, in open contempt & defyance of the Governour's Comission; and well might the Governour give such an order, who had often heard that the said Dunbar had sworn he would have the Fort, tho' he scorn'd to ask or even to take a Commission from his Excellency for it; which (not onely indecency, but) aggravated insolence of the said Dunbar, necessitated the Governour to issue such an order, in a faithfull dis-

charge of the trust reposed in him, and in vindication of his own honour, which the said Dunbar had treated with so much disregard and ignominy, not only in the Instance above mentioned, but likewise, when he swore he scorn'd to accept a Comission from the Governour, he spit in contempt of it, as tho' he would spit upon it if offered him: such insolency & such arrogancy must surely be deem'd a sufficient inducement to the Governour to exert his authority; for what could be more provoking than for an Inferior officer to presume to vie powers with his Captain General, as he always did, being ever upon the defyance, til he was advised by an Express, that the Governour was upon the road bound to New Hampshire; but then (being conscious of what he deserved) to the great surprise of his few friends, he made a sudden flight to Pemaquid, getting out of the Province by a hard shift against wind & tide the evening before his Excellencys arrival at Portsm°, chusing rather to expose himself to the hazard of y^e^ mercyless waves, in a dark and lowering night, in a little stinking fishing boat too, than to the resentment of his Governour, whom he knew he had abused and affronted, and from whom he deserved chastisement; Can any thing upon earth be a fuller proof of his own consciousness of his ill-deservings from his Excellency's hands than such a sudden & mean Escape? and if so, there can be no greater argument to justify the order from his Excellency to the Captain of the Castle, if such order needs a Justification: Moreover, the said Col. Dunbar, in further violation of his duty, was an open abetor to Mr. Atkinson in withstanding the Governour's authority in the appointm^t^ of Rich^d^ Wibird, Esq. Collect^r^ for the N. Hampshire District: The said Atkinson refusing to deliver the Custom House Seal, and the said Dunbar justifying him in it, altho' his Excellency had given an express order for the same; and besides, when Capt. Wibird waited on the s^d^ Col. Dunbar (as Lt. Gov^r^) by the Governour's order, to be sworn into the office of Collector, the said Dunbar swore he would not administer the oath to him; so that his Excellency was obliged to send a Dedimus to two Gentlemen of the Council, to swear him and any other officers as occasions might afterwards require: And again, after Mr. Wibird was appointed Collector, the Governour ordered the Lt. Gov^r^ not to grant any Passes to the Fort for any vessels without a clause in such Passes signifying that such vessels were duely clear'd by Rich^d^ Wibird, Esq. Collect^r^, which he absolutely refused to obey, and instead thereof (endeavouring to render null and void the Governour's authority & the Comission to the said Wibird, as far as in him lay) he commanded some of the officers of the Goverment to aid Mr. Atkinson as Collector, tho' the said Atkinson had nothing to make him so, but a dead deputation from Mr. Bacon, who departed this life some months before; and the said Dunbar well knowing at y^e^ same time, that the Governour had Comissionated Capt. Wibird for that office, & that he had taken the oaths accordingly. What a high handed breach of duty & opposition was this? and what an instance of base ingratitude too, after his Excellency had wrote to the President & Council to receive him (when he came from Pemaquid) with all possible respect, & to publish his Comission w^th^ the usual marks of honour in such cases, and which he well knew both from the President's letter and lips: This was some of the conduct of that Gentleman that was such matter of speculation & wonderment y^e^ last summer, in this part of the world: Tho' really the greatest wonder

of all, was at y^e^ patience & forbearance of the Governour (under such prodigious provocations) that his Excellency did not immediately send him home to answer for his misdeeds before his Superiours there, or at least confine him til his Majesty's pleasure should be known; and to prevent the mischiefs which (it was generally tho't) he would have done, if he could have made any considerable party: But, heaven be praised,—his number was but small, being but about a doz^n^ or fifteen persons at most, w^ch^ consisted onely of disbanded officers and their relatives and dependants, a decayed Gentleman or two, a book-keeper, an Irish rover, and Pedlar of the same country.

As to the Lt. Gov^r^ Exercising the ordinary powers of Goverment when the Gov^r^ is at Boston, It is an ancient adage, "That what has been may be," and what has lately been (& of what pernicious tendency) may be seen in the foregoing specimen of Mr. Dunbar's management in the last summer;—pretty much of the same kind & stamp w^th^ the administration of a Lt. Governour of the same Province in the year 1717, (1) who undertook to suspend a Councill^r^, (2) to dissolve the Assembly, & Issue Public Instrum^ts^ in his own name, which Governor Shute, then in the Mass^a^ being advised of by a courier, sent for that purpose, was obliged to ride post to that Province to still the disorder occasioned by the then Lt: Gov^rs^ misconduct there; and in order to it the first step his Excellency took, was to suspend the said Lt. Gov^r^ (as a Councill^r^) which was done by unanimous advice of a full Council; & immediately thereupon (by y^e^ like advice) he issued Proclam^n^ throughout the Province, declaring how far the Lt. Gov^rs^ power extended, w^ch^ was limitted to such orders and Instructions as he should receive from his Majesty or the Capt. Gen^l^. Then the Gov^r^ made an order in Council to the Clerk not to deliver nor make use of the Prov. Seal but by his special order; and finally, represented home the behaviour of that Gentleman, who was immediately thereupon dismissed from y^e^ Lt'enancy; & y^e^ suspension of him as a Councill^r^ was highly approved, and he never appeared more at the Coun. Board to his dying day. Now, however great the Inconveniencys have already been, either in the year 1717 or last summer, yet much greater may they be, & doubtless will, if the present Lt. Gov^r^ should be countenanced from home in jaring w^th^ the Governour and counter-governing y^e^ Province; for if it sh^d^ be so, whatever the Gov^r^ may do in y^e^ m^o^ or six weeks in a year, that he is there, the Lt. Gov^r^ may undoe as soon as his back is turn'd; and by the same rule and reason, when the Lt. Gov^r^ shall be gone to Pemaquid or elsewhere, the President of the Council may Act his part as Chief; and if he too should happen to step out of y^e^ Province, then the next eldest Councill^r^ might also Execute another scheme of Politicks, and so on:—which would involve y^e^ poor people in a labyrinth insuferable of Difficulty; for what can be y^e^ consequence of a competition or rivalship for power but a train of evils, jars, discords & animosities, breaking the community into partys & peices & keeping them in a perpetual clash? What can be expected in such a case but almost daily enacting & abrogating the same Laws, frequent Elections & dissolution of Assemblies, & as frequent suspending Councill^rs^ & calling others in their room; the often granting Comissions to Judges & Justices, & as often superseding them, whereby y^e^ course of Justice must be unavoidably impeded; and be-

(1) Lt. George Vaughan; see Vol. II, p. 709. (2) Sam'l Penhallow. Ed.

sides there will be a continual change of military officers, which will leave y^e^ Militia untrained & undiciplined, and by consequence, entirely unfit for service, which will be ten thousand times worse than anarchy itself. And besides, the vesting y^e^ Goverm^t^ in y^e^ Lt. Gov^r^ would be inverting the very nature & order of the thing contrary to the usage in such cases, as well as y^e^ plane intent & express words of both the Gov^rs^ & Lt. Gov^rs^ Commissions; and moreover, it would be making a mere nominal officer of the Governour, & his Comission a blank, or at best it would be depriving him of 11–12^ths^ of the authority which his Maj^ty^ has been graciously pleased to bestow upon him.

P. S. Upon a 2^d^ tho't—May not y^e^ Lt. Gov^rs^ attempt to get y^e^ Fort into his hands be improved as tho' he designed thereby to support Atkinson as Coll^r^ by stopping y^e^ vessels y^t^ did not . . . with him.

Again: ye Testimony of Wentworth and Atkinson was not duely & properly authenticated, Col. Waldron not being notifyed.

Again: Those Deponents were evidently partial & bias as fully appears by Atkinson's conduct as Coll^r^ & the Testimony taken last week ag^st^ Wentworth.

Again: 'Tis sd the Clerk of y^e^ peace was present, (an indifferent man) why was he not sworn as well as y^e^ two party men?

Indorsed—"Remarks on y^e^ Represent^a^ of Lds. of Trade, sent y^e^ Gov^r^ May 26, 1732."

[p. 376.] *Anno Regni Regis Georgii Secundi, Magnæ Britanniæ, Franciæ, et Hiberniæ, &c. Sexto.*

A Journal of the House of Representatives of his Maj^ties Province of New Hampshire in New England, began and held at Portsmouth in said Province, August the 29th, Anno Dom. 1732.

The Persons Return'd according to the King's Writ to serve in the General Assembly, for the several Towns, are as followeth, viz.

| | |
|---|---|
| For Portsmouth, | James Clarkson, Esq. |
| | Mr. Benning Wentworth |
| | Capt. George Walker. |
| Dover, | Paul Wentworth, Esq. |
| | Nicholas Hartford |
| | William Damm |
| Hampton | Peter Weare, Esq. |
| | Mr. John Sanburn |
| | Mr. Samuel Palmer. |
| Exeter | Mr. Bartholomew Thing |
| | Nicholas Gilman, Esq |
| New Castle, | Theodore Atkinson, Esq. |
| Rye, | Capt. Richard Jennis |
| Kingston | Mr. Ebenezer Stephens |
| Newingtown | Mr. George Walton |
| Londonderry | Mr. John McMurphy |
| Stretham | Andrew Wiggin, Esq. |
| Gree-land | Mr. Matthias Haines |
| Durham | Capt. Francis Mathes. |

[p. 377.] The Hon^ble Jotham Odiorn & Ephraim Dennit, Esq. came from the Board & acquainted the House that they were authorized by his Excelly to adm^r the oaths to the members returned pursuant to an Act of Parliament, which being done, they withdrew.

Eod^m Die: A Mess^a from the Board pr. Ephraim Dennet, Esq. viz. That the House proceed to the choice of a Speaker.

The House proceeded to the choice of a Speaker.

Andrew Wiggin, Esq. was chosen Speaker.

A Mess^a sent to the Board to acquaint them the House had made choice of Andrew Wiggin, Esq. for their Speaker.

A message from the Board to know if the House had chose their Clerk—and then withdrew.

The House proceeded to the choice of their Clerk

James Jeffry was chosen Clerk and sworn accordingly.

A Message sent to acquaint the Board the House had chose their Clerk. Mr. Secretary and Ephraim Dennet, Esq. came into the House and Mr. Secretary said it was his Excellencies Order that this General Assembly be prorogued to the 4th of 8r next,—and then declared the Assembly

PROROGUED ACCORDINGLY.

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[From MS. Corr. in Secretary's office, Vol. I, pp. 71–72.]

*Capt. Joshua Pierce's Letter to Gov. Belcher, about Mandamus, and Gov. B's reply.*

Portsmo Jan. 11, 1732–3.

*May it please your Excellency,*

Sir—I being this day in Conversation with Mr. Secy Waldron, he intimated to me that your Excellency was much incensed against me for managing as I did with my Mandamus. Within a week after it came to hand (which was under cover of a letter from Capt. Tomlinson of London to my son Josh.) I presented it to Mr. President Walton in the Council Chamber, and neither he, nor any of the Gentlemen that were present, mentioned a word of my forwarding it to your Excellency; and I beg leave to assure your Excellency, that neither in this affair or any other since your administration in the Goverment of N. Hampr have I acted any thing with design to give yor Excellency any umbrage, and what has been amiss of any kind whatsoever, it was want of better information, and most humbly pray, that your Excellency will be so good as to pardon a sin of Ignorance, in your most obedt humble servt. Josha Peirce.

Superscribed—"To his Excellency, Jonathan Belcher, Esq. in Bosto

A true copy—pr Richd Waldron, Secy.

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[From MS. Corr. in Secretary's office, Vol. I, p. 73.]

*Gov. Belcher's Answer.*

Sir—I have yours of the 11, present, & observe what you say in excuse for so long detaining the Kings royal order to me for admitting you to be one of his Majestys Council for New Hampr.

Capt. King who bro't it arrived here Monday the 18th Decr and you received it the Wednesday following, and presented it to the President the 28th of the same month: How came you to conceal it so long? and since it was in the first place directed to me? (whom his Majesty is pleased to say is not absent from New Hampshire, when in the Massachusetts.) Why did you not by return of the Post transmit it to me that I might have given my order thereupon? However Sir, since

you seem to plead ignorance, and that you had no design to give me any umbrage, I have return'd the Mandamus to the Secretary, and have ordered the President to call a Council, and to have you sworn & admitted in obedience to his Majesty's royal orders, and that the Secretary record the Mandamus and return me the original, and that a copy of your letter and my answer on this head be put upon the files of the Secretary's office.

I give you joy, Sir, of the honour the King has done you, & I hope you will do his Majesty good service & honour in the station he has set you. I am, Sir,

Yr Servt. J. Belcher.

Boston, Jan. 15, 1732–3.
Capt. Pierce.

A true copy, Pr. Richd Waldron, Secy.

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Thursday February the 22d Anno Dom. 1732–3.

The House met according to Prorogation by his Excellencies Proclamation.

A Messa sent from the House to Mr. President Walton to acquaint him there was a Quorum of the House met.

Mr. President came into the House & adjourn'd the Assembly to the 23d currt.

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Fryday, February the 23d A. D. 1732–3.

His Excellency not being come into the Province Mr. Speaker adjourn'd the House to the 24th currt.

[p. 378.] Saturday, February 24th A. D. 1732–3.

The Cler. being sick Mr. George Walton was chosen Cler. Protempore.

A Messa was sent from the House to his Excellcie to signifie there was a Quorum met.

A Messa from his Excell. pr Mr. Secretary viz. His Excell. required the atten—– of the House at the Board.

Mr. Speaker and the House went up accordingly. His Excellcy made a Speech.

Mr. Speaker pray'd a coppy thereof, had it and return'd with the House.

The Speech was read in the House and is as followeth, viz.

*Gent. of the Council*
*& House of Representatives*

I had met you sooner in Genl Assem. but that my duty to the King in the next Province prevented me in

the fall, as the severity of winter has, since that time. I hope you are now come disposed to do what may reasonably be expected from you for his Majᵗⁱᵉˢ service, and for the welfare of his good subjects of this Province.

Since I was last here, I have received his Majᵗⁱᵉˢ Royal Instruction forbidding any duty on Brittish Shipping or Manufacture, which Mr. Secretary shall lay before you, that you may for the future conform yourselves thereunto.

*Gent. of the House of Representatives*

I shall direct the Treasuʳ to lay his accounts before you, by which you will find there neither is nor has been any money in the Publick Treasury for a long time. I shall therefore not doubt of your doing therein what is absolutely necessary for the support and safety of the Goverment, as well as for doing Justice to all to whome you are indebted.

[P. 379.] *Gent. of the Council and House of Representatives*

I must desier you to apply yourselves diligently to the Business of the present Sessions, and I shall be glad to go hand in hand with you in every thing that may promote the Publick good, and which I hope you will pursue with unanimity among yourselves. J. BELCHER.

Feb. 24ᵗʰ 1732–3.

Voted That Peter Weare, James Clarkson & Theo. Atkinson, Esqs. be a Comittee of this House to draw up an answer to his Excellˢ Speech & present it the House for approbation.

A Mess. pr Mr. Secry. that his Excellʸ adjourn'd this Genˡˡ Assm. to Monday next.

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Monday February 26ᵗʰ A. D. 1732–3.

Ephraim Dennit, Esq. came down and laid his Majᵗⁱᵉˢ Royal Instruction (mentioned in his Excell. Speech) before the House which was read. The House adjourn'd to the 27ᵗʰ currᵗ.

Tuesday February 27ᵗʰ 1732—

Several Debates in the House

Post Meridiem.

Ephraim Dennit, Esq. Bro't down the Treasurer's accounts to be past upon. Then the House adjourn'd to the twenty-eighth currᵗ.

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Wednesday, Febʸ 28ᵗʰ A. D. 1732–3.

Ephraim Dennit Esq. bro't Down a Petition sign'd Benjᵃ Rust praying for an Execution on a Messuage formerly recovered of Mr. Thomas Packer with a vote of Council thereon

for a hearing on Fryday next. Read in the House and concurr'd with the vote of Council.

Voted, That Joshua Pierce, Esq. be recorder of Deeds for this Province for the yeare ensuing and until the Spring Sessions which will be in the yeare 1734 & that he be allowed and paid for every Deed he shall record, by the p'son that Bro't the same & for his attestation thereon two shillings and six pence.

Post Meridiem

The answer to his Excell$^{s}$ Speech read & accepted, and voted to be sent up and is as followeth, viz.

[p. 380.] *May it Please your Excell.*

The Reason your Excell. has given for not meeting the Gen$^{l}$ Assembly of this Province sooner, this House has given its full weight and consideration, and we beg leave to assure your Excell$^{y}$ that we are met intirely disposed to serve the interest of this Province, and to do every thing that a Gracious King can expect from Dutyfull and Loyal subjects.

His Maj$^{ties}$ Royal Instruction forbidding the imposing Duties on Brittish shipping and Manufactures has, by your Excell$^{s}$ Command, been delivered the Speaker, who has comunicated the same to the House, and as former Assemblys have not been wanting in their Duty in paying a just regard to the King's Instructions, so it is to be the less doubted from this Assembly on such an occasion.

The Treasurer's accounts also lay before the House, and it is our greatest concern how, and by what means we shall supply the Treasury, which your Excell. has observed to us has been so long empty, that so the just Debts of the Province may be discharged, and in such a manner that we may approve ourselves faithful to the People we Represent, and in such a way as to be under no necessity of Loading the Inhabitants with heavier taxes than they are able to pay. We beg leave to repeat our assurances to your Excell$^{y}$ that this Assembly is met, heartily disposed to promote the good of the Province as far as it shall be in our power; and if a dilligent attention on and constant application to Publick affairs, a good harmony with your Excell$^{y}$ and the Hon$^{ble}$ Board, which your Excell$^{y}$ has given us reason to hope for, will effect it, we shall pursue those ends whereby this Sessions will be rendered short and consequently attended with less charge—the only way to promote the Public weal under our present distressing circumstances for want of a proper medium.

Andrew Wiggin, Speak$^{r}$.

Then the House adjourn'd to March 1$^{st}$ 1732–3.

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[p. 381.] Thursday March the first A. Dom. 1732–3.

A Petition of the East End of Kingstown and West End of Hampton Falls praying to be set off a sepparate p'ish or Precinct read and voted the Peti$^{n}$ be dismiss'd.

Voted, That an Act be made to prevent p'sons killing Deer at unseasonable times.

Sent up for concurrence.

Post Meridiem.

A Petition of the Inhabitants of the Town of Nottingham praying that they may have a High way for the benefit of the Town as set forth in the Petition, Read and Voted as on the Petition & sent up, No. 3.

Voted—That Mr. Benning Wentworth and Mr. Bart. Thing be a Comittee of this House to joyne with such as may be appointed by the Council to tell over what money shall be Bro't into the gen$^{ll}$ assembly in order to be burnt this sessions.

Sent up. Eod$^{m}$ Die. A Mess$^{a}$ from the Board that the above vote was concurr'd and that Joshua Pierce and Ephraim Dennet, Esqs, were appointed at the Board to joyne the above Comittee for telling over the money to be burnt.

The House adjourn'd to the 2$^{d}$ curr$^{t}$.

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Fryday March the 2$^{d}$ A. D. 1732–3.

Several Debates in the House. A Mess$^{a}$ that the vote for an Act ag$^{t}$ killing Deer &c. was concurr'd at the Board and that the Council desired the House to prepare a bill accordingly. The House adjourn'd to the 3$^{d}$ curr$^{t}$.

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Saturday March the 3$^{d}$ A. D. 1732–3.

The Comittee for telling over the money to be Burnt Bro't into the Assembly from Mr. Treasurer Sherburn to be Burnt of the years Tax the Sum of six hundred thirty six pounds, nineteen shillings which was Burnt, and voted that the said Treasurer Sherburn is hereby Discharg'd of the said sum of £636 : 19.

The said Comittee also Bro't into the Gen$^{ll}$ Assembly the sume of one hundred forty-two pounds sixteen shillings & one penny, money they received of Henry Sherburn Esq. as Trustee for Exchanging the old Cypher'd Bills of Credit of this Province which said Bills [p. 382] was Burnt in the face of the assmbly and voted that the said Henry Sherburn is hereby discharged of the s$^{d}$ sum of £142 : 16 : 1. A vote sent up to desire his Excell$^{y}$ to adjourn the ass$^{m}$ to the 12$^{th}$ curr$^{t}$. Eod$^{m}$ Die. A Mess$^{a}$ sent down that his Excell. adjourn'd this assembly to Monday the 5$^{th}$ curr$^{t}$.

Monday March the 5th A. D. 1732–3.

Voted—That Messrs Bening Wentworth & James Clarkson be a Comittee of this House to joyne with such as the Council shall appoint to audit Mr. Treasurer's accounts, Mr. Atkinson's accounts and all other accounts that shall be bro't before the genll assembly this sessions, and make report thereof.

The House adjourn'd to the 6th currt

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Tuesday, March the 6th A. D. 1832–3.

The above vote sent up, Eodm Die. Returd non-concurr'd.

In Council, May [March] the 6th 1732–3.

Voted—That Jotham Odiorn & Ephraim Dennet Esqs. be a Comittee from this Board to joyne with such as the House shall appoint to audit all accounts that are cognizable before the genll Court and make their return to the genll assm- Sent down for concurrence. In the House read and non-concurr'd and voted that the House adhere to their former vote & sent up.

Post Meridiem

The vote of the House on Nottingham Petition bro't down non-concurr'd and another vote of the Council thereon read and concurr'd and sent up.

Whereas upon the several successive years between this yeare and the yeare 1742, there is a Tax by several Acts laid upon the Poles and Estates of the Inhabitants of this Province which is when bro't into the Treasury to be Burnt in order to sinck the several pounds mentioned in the said acts which said sums on the said several years the People of this Province will scarcely be able to pay, & in as much as the aforesaid sumes [p. 383] were Emitted for & Expended in the service of this Province in defending the Lives and Estates of his Majties subjects in a Long & tedious war with the Indian Enemy, in repairing his Majties fortifications and for maintaining & supporting our armies & soldiers that we sent into the County of York & other places in quest of the said Ennemy, by which means the Province is now in debt by the aforesaid acts that it will be utterly impossible for the Inhabitants to pay by a tax the money that is by the said acts to be Bro't in and Burnt, and at the same time to support and maintaine the charge of the government by an addition-

al Tax the scarcity of money being so verry great and the People of this Province being so much reduced for want of a propper medium.

Wherefore, Voted, that there be the sum of £20,000 in paper money forthwith struck & and put into the hands of a Committee to be appointed by the gen$^{ll}$ assembly to be Lett out at 5 pr ct Interest for & during the Term of sixteen years to any p'son that shall give such security as shall be agreed upon by the gen$^{ll}$ assembly & that the Interest that shall become due and paid be put into the Treasury in such sums and for paying such allowances as shall be made and agreed upon from time to time by the gen$^{ll}$ assembly ; and for a fund and security for repaying the same.

Voted that the Borrowers be obliged by their security aforesaid to repay the same at £25 pr ct pr annum on each successive yeare after the expiration of the above mentioned sixteen years untill the Principle be paid in and that without any Interest as above said for the foure years last mentioned, and in as much as it will be some time before any Interest will become due on the said money & the Treasury not having a sufficiency to defray the allowances of the curr$^{t}$ yeare, for the supplying of which,

Voted, that there be the sum of one thousand pounds made [p. 384] and put into the Treasury for the Ends above said, and for a fund for the Repaying the same, voted that a tax be laid on the Poles and Estates of the Inhabitants of this Goverment as follows, viz. one hundred pounds on the yeare 1733, £100 on the yeare 1734, £100 on the yeare 1735, and so on each successive yeare till the yeare 1742, and that the acts be drawn up accordingly. Sent up.

Eod$^{m}$ Die. In Council Read & non concurr'd unanimously.

Voted, That the Interest money now due on the Bonds for £1730, be forthwith bro't into the Treasury for defraying the Public charges and that y$^{e}$ several p'sons bring in their said sumes to the Speaker of the assembly for the time being or that the several p'sons renew their Bonds at six pr ct. and that the Interest be paid into the Treasury next Aprill for the ends aforesaid, and that if any p'son refuse forthwith to pay his Interest due or renew his Bonds at six pr ct. and pay his Interest now due such p'sons Bond be immediately put in suite by the Speaker for the time being. Sent up for concurrence.

The House adjourn'd to the 7$^{th}$ curr$^{t}$.

Wednesday March the 7th A. D. 1732–3.

*May it Please your Excell'y.*

This house having received many and great complaints of the extream difficulties and hardships his Majties Subjects in this Province Labour under by the Incroachments of our neighbours the Inhabitants of the Massa which are dayley made on the Land of the Inhabitants of this his Majties Province, Particularly in the Towns of Bow, Londonderry & Kingstown.

Some of which Towns have greatly suffered by having their Inhabitants carryed into the County of Essex in the Province of the Massa, and there tryed and condemned in great cost, even to the Impoverishing the said Towns; some of which Towns, p'ticularly the Town of Bow, who erected a House for defence in case of a Warr and for the Publick worship of God, was burnt & destroyed, which greatly retards the settlemt of the said Town, and [p. 385] if not prevented will render it impracticable to settle the same according to the intent and meaning of their Charter; Werefore this House begs leave to address your Excellency in behalf of those Poore distressed People, and pray that your Excellency would be pleased to recommend to the Genl Assembly of your other Govermt that they put a stop to all such proceedings untill his Majtie shall graciously be pleased to order the settlemt of the Boundary lines, and to assure your Excell. that this House will readyly Joyne with your Excell. & the Honble the Councl in passing any vote that shall be tho't necessary on the part of this Province to effect the Ends aforesaid.

Read and Voted to be sent up.

Whereas this House did on the 6th of this inst. Mar pass a vote for the Emitting the sum of £20,000 to be let out at 5 per ct Interest for 16 years to any p'son that should give such security as should be agreed upon by the Genl Assembly, which said Interest was to be put into the Treasury in such sums and for paying such allowances as should be made & agreed upon from time to time by the Genl Assembly, and for a fund and security for repaying the same, it was Voted that the Borrowers be oblidged by their security to repay the same at 25 pr Ct. for 4 years next succeeding the 16 years in said vote mentioned; and also in the said vote there was provision made for an immediate supply of the Treasury by voting the sum of £1000 to be made and put into the Treasury, & for a fund for the repaying the Same. It was Voted that the same should be bro't in by an additional Tax of a £100 on each year till the same should be repaid in order to be burnt: Which said vote was on the same day non concurr'd unanimously by the Council—And the House apprehending the reason why the Council did not concur with the afforesaid vote, was because the money proposed to be made was to run & stand out for too long a time.

Wherefore Voted, That the above said sum of £20,000 be made and let out as mentioned in the said vote, and to run upon Interest [P. 386] for eight years instead of 16 years, and the Principle be paid in the two successive years, each year one moity without Interest, instead of the 4 years mentioned in the said vote, and that the sume of £1000 be made for the supply of the Treasury as by the said vote above mentioned was intended, and that the said sum of £20,000 or any part thereof be redeemable by silver money at such a Rate as shall be agreed upon by the General Assembly, and that an Act be drawn up accordingly.

Sent up for concurrence.

Post Meridiem.

A Petition of Richard Perry a souldier at his Majties Fort Wm & Mary for himself & in behalfe of the other souldiers belonging to the said Fort praying their pay may be made them, as usual halfe yearly, was Read,

And Voted thereon, That the Prayer of the Petition be granted & that the souldiers be paid out of the money in Mr. Atkinson's hands which by the vote of this House is ordered into the Treasury.

Then the House adjourn'd to the 8th currt

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Thursday March 8th A. D. 1732–3.

Whereas there is money due to the Province from Theodore Atkinson, Esq. which he received as sherrif of this Province, which he informs this House he is ready to pay as soone as the same shall be settled, and this house having made choice of a Comittee to joyne with a Comittee of the Honble the Council as well as for the settling the said Atkinson's account as all others which lay before the Genl Assembly—Which as said vote was non concurred by the Council.

Wherefore Voted, That the Council be desired to reconsider the said vote for auditing the said Accounts; and whereas this House have granted the Praying of the Petition sign'd by the Souldiers of the Fort praying for theire Wages, which is by said Grant to be paid out of the said money in Mr. Atkinson's hands,—Wherefore Voted, That the Ballance that shal becom due to the Province from the said Atkinson's be put into the Treasury and be applyed to

the [p. 387] paying the said souldiers, and that his Excell be desired to give his warrant accordingly.

The above vote on the Petition & this sent up for concurrence.

Eod$^{m}$ Die. The above vote Read and nonconcurred, and the Petition returned with a vote of Council thereon: viz. In Council Mar. 8$^{th}$ 1732–3—Voted, That when there is a sufficient supply of the Treasury to discharge the debts of the Province, the Petitioners within mentioned be paid off in Course.

In Council March 8$^{th}$, 1732–3.

In answer to the vote of the Hon$^{ble}$ House of this day desireing the board to reconsider their vote for a Comittee to audit the Publick accounts and Mr. Atkinson's, the Council say, That they have made the fullest and most pertinent vote already that they are capable of making relateing to an audit:—which says, The Auditors shall pass upon the Treasurers and all other accounts that are proper to the Cognizance of the General Assembly, and what more they can properly say in that regard they know not. As to Mr. Atkinson's Accounts the Council know of none at present that are Cognizable to the Gen$^{l}$ Assembly, for that the accounts of Huse's money he has given under his hand already, by which the Ball$^{a}$ due from him to the Treasury is £292; and as to the estate of John Ambler which the said Atkinson took in Execution as sheriff, It was a Forfeiture to his Maj$^{tie}$ by a Judgm$^{t}$ of one of the King's Courts, which the Hon$^{ble}$ House ought to know they have nothing to do with; and as to any other Acct. of the said Mr. Atkinson's, when he layes it before the Council they will quickly committ it to the Auditors if the House see meet to appoint any, and it appears to the Council that tis proper for the Examination. Pass'd unanimously.

In Council, Mar. the 8$^{th}$ 1732–3

Whereas the vote of the Hon$^{ble}$ House of the 6$^{th}$ inst. for the Speakers taking the Bonds for the £1730 into his hands and proceeding thereon according to the Tennour of the said vote [p. 388] is not (in the Councils opinion) projected for the best interest of the Province; because, in the first place, it will charge the Province with double Comiss$^{rs}$ for the said vote says the Speaker gather the Interest and then pay into the Treasury, so that the Speaker and Treasurer

must both be paid ; whereas if the collection was made by the Treasurer it would be done with halfe the charge :— In the next place, the Treasurer is under Bonds not to misuse or misapply the Publick moneyes ; therefore the Council cannot but be of opinion he is the most proper p'son to do that business ; vast inconveniency having been already experienced by Publick moneyes having been scattered about the Province in Private hands : Again, the Treasurer is not only the proper officer in such a case, but is most conveniently situated for doing the business—all or most of the Debtors living in the Same Town with him : And Lastly, Suppose the Speaker had comenced Suits on all the Bonds, which would be attended with a vast charge, and the Gov$^{r}$ should think proper to disolve the Asses$^{m}$ the Process's would be discontinued and the charge lost of course.

Therefore upon the whole, Voted, That Mr. Treasurer Sherburne who now has the s$^{d}$ Bonds by virtue of the order of the Gen$^{l}$ Assm. made the last sessions, forthwith demand the Interest due upon the said Bonds, and that he take new Bonds of those of the Bo.rowers that desire it, for one yeare more at 6 pr ct. and that he Prosecute in Law those that refuse to pay their Interest and renew their Bonds as above said, at next June Court without faile. Sent down.

The following vote bro't down (with the above) viz. In Council March the 8$^{th}$ 1732–3. Voted that the Hon$^{ble}$ Joshua Pierce Esq. be Recorder of Deeds for this Province for the term of six months and to the end of the next Sessions of Gen$^{ll}$ Assm. after the six months is ended and that the Recorders fee for the future be five shillings instead of half a Crown. Sent down.

Eod$^{m}$ Die. In the House Read and non concurred unanimously.

[P. 389.] Post Meridiem.

The following vote of Council Bro't down, viz.

In Council Mar. 8$^{th}$ 1832–3. Whereas the Hon$^{ble}$ House of Representatives did on the sixth current send up a vote to this Board of that date for the emition of £20,000 upon Loan & £1000 for the supply of the Treasury under certaine limitations and Promises, &c. which the Council nonconcurred unanimously and sent back to this House, and whereas the House did yesterday think proper to send up another vote of the same tendency but something different

as to the Restrictions in which they say the House apprehended the reason why the Council did not concur with their first vote was because the money proposed to be made was to run and stand out for too long a time, which the Council think proper now to tell them is a mistake. In order to prevent any further fruitless essays of the like sort, for the *the* length of time was a good reason for the Council's non agreem$^{t}$, yet it was not the only one there being several other material objections to that scheam which are needless to mention. The Council thinking it sufficient to say once for all that the Emission of £20,000 or any other sum whatever on that footing is diametrically opposite to his Maj$^{ties}$ Instruction which was the maine though not the onely reason of the Council's non concurrence as above mentioned. Passed in Council unanimously.

Then the House adjourn'd to Mar. 9$^{th}$ 1732–3.

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Fryday, March the 9$^{th}$ A. D. 1732–3.

For as much as there remains in the Hands of Coll$^{l}$ John Plaisted, Esq., the sum of £62 : 18 : 4 of the money to Exchange which is something Precarious and Tho$^{s}$ Phips Esq. has offered to give security for the same allowing him till the next Fall sessions for the paym$^{t}$ thereof: Wherefore Voted That the Speaker of the Ass$^{m}$ for the time being take the said Thomas Phips Bond for the above sum of £62 : 18 : 4 and that when the money is paid according to the Tenour of the Bond the same be bro't into the Gen$^{ll}$ Assembly and Burnt without any further charge.

[P. 390.] A Mess$^{a}$ from the Board pr Mr. President and Mr. Secretary that the Board had nothing before them and that his Excell. intended to Dismiss the Ass$^{m}$ to-morrow.

Post Meridiem

Mr. Secretary bro't down a written Mess$^{a}$ from his Excell. read and gave it the Speaker which was read againe in the House as follows, viz.

*Gent. of the House of Representatives,*

I assure you the contents of your Mess$^{a}$ of the 7$^{th}$ cur$^{t}$ gives me much concern and uneasiness, and I shall very earnestly recommend what you desire to the Ass$^{m}$ of the Mass$^{a}$ at their meeting the next month, and shall be ready in the meantime to give my consent to any

reasonable act may be agreed on by the Council & your House for the Ease and Quiet of the distressed Borderers on the Line.

J. Belcher.

Mar. 9th, 1732-3.

Eodm Die. In the House Voted, that the thanks of the House be return'd to his Excell. for his Kind Messa Relating to the Lines.

Whereas great inconveniencies arise by the frequent Lawsuits comenced agt People claiming Property in the Lands neare the Boundary Lines between this Province and the Province of the Massa which greatly impovishing all that are concern'd therein, and no wayes quiets the People in their Possessions or confirms their Property; for what has been done by one Goverm^t hath offten been revised by the other, which creates a great and needless Expense & trouble to the Poor Inhabitants on those controverted Lands: Therefore Voted, that no action of Trespass or Ejectment be comenced from and after the first of May next, agt any p'son Either for Trespass or Trying of Title on any of the aforesaid Lands in controversy between the Goverm^ts until the lines bettween the Gover^mts are determined and settled, or till further orders.

Provided nevertheless, that this vote shall not be in force [p. 391] unless the Goverm^t of the Massa pass a vote in substance like this, and to continue for the same time.

*May it Please your Excelly,*

This House hath maturely considered and debated the weighty affaire of granting a further supply of the Treasury, to answer which End this House projected two Bills for the emitting the sum of £20,000, the Interest of which was by the said votes for the supply of the Treasury; which said votes were nonconcurr'd by the Council. They did also, for defraying the intervening charges of ye Goverm^t pass a vote for the putting in a 1000£, besides the interest on the 1730£ & the money in Mr. Atkinson's hands, (which this House proposed a vote for paym^t of the soldiers of the Fort Wm. & Mary) but that vote was also nonconcurrd by the Board, and by their vote say the House ought to know they had nothing to do with: Now this House thinks they have and ought to have a vote in the disposal of all Publick money, and that the Board were formerly of this opinion, appears by their sending down Mr. Atkinson's account to be past upon in the last Sessions; so that that money is still unapplied notwithstanding the said Atkinson hath declared his readiness to pay the same. So that the House can see no other way of supplying the Treasury without oppressing the People whome we Represent, than what they have come into. Wherefore this House are humbly of opinion that it will greatly tend to the Prosperity and welfare of his Majties subjects of this Province to address his Majtie by the hand of our Agent, to obtain his Royal

leave for a further Emission of Paper currency, more especially since your Excell$^{y}$ has informed this House that you can't consent to; It being contrary to his Maj$^{ties}$ Royal Instruction to [your Instruction] your Excelly, and if the Hon$^{ble}$ Council should think proper to appoint a Comittee to joyne with a Comittee of this House for the ends aforesaid, we are humbly of opinion it would be attended with the desired effect.

Then the House adjourn$^{d}$ to the 10$^{th}$ curr$^{t}$.

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[P. 392.] Saturday March the 10$^{th}$ A. D. 1732–3.

Mr. Secretary Bro't down the following vote of Council, viz.

In Council March the 10$^{th}$ 1732–3.

Upon considering the several votes that have already past between the two Houses and of the Mass$^{a}$ made by the Council to the House yesterday relating to the 1730£ Voted that the Borrowers of the s$^{d}$ 1730£ have liberty to renew their Bonds payable to the Treasurer for the time being for the space of two years from the date hereof, at 6 pr ct pr annum any time between this and the 25$^{th}$ of April next, first paying the Interest to the Treasury due to that time and that the Bonds of those that do not renew as aforesaid within the Term aforesaid shall be put into the hands of the Speaker for the time being who is hereby directed and Required to put the same in suite without delay or Excuse at the Inferior Court next coming after the said Speakers receiving them and that the said Speaker give a Receipt to the Treasurer for such Bonds as he received from him. Pass'd unanimously.

Eod$^{m}$ Die. In the House &c. Read and concurr'd with this amendm$^{t}$. That there be a Comittee of both Houses appointed to renew & take the Bonds payable to the Treasurer for the time being at 6 pr ct. as above and when they shall be renewed to be delivered to the Treasurer and take his receipt therefore in order to be Entered on the Journal of the Gen$^{ll}$ Assembly, and that James Clarkson, Esq. be a Comittee of this House to joyne with whome the Honble Board shall appoint for the Ends aforesaid.

The vote of the House of the 8$^{th}$ curr$^{t}$ for a Recorder was Bro't down with a vote of Council thereon, viz.

In Council March 10$^{th}$ 1732–3. The Council adhere to above vote Excepting that the Recorders fee be 2:6 instead of 5*s*.

Eod$^{m}$ Die. In the House Read & concurred.

Mr. Secretary came down with a written Mess$^{a}$ from the Board & Read it as follows, viz.

[p. 393.] In Council March 10$^{th}$ 1732–3.

Whereas in a Mess$^{a}$ from the Hon$^{ble}$ House to his Excellency the forenoon bearing date the 9$^{th}$ curr$^{t}$ & sent up this day and communicated to the Council, There are sundry things mentioned which seem to cast an odium on the Council, as tho' it lay at their door that there is not a due Supply of the Treasury, to which the Council in justice to themselves are obliged to say, that the reason of their non concurrence to the 20,000£ Bills on Loan was (as the House has been heretofore once and againe Informed) because the Emission of Bills on Loan is directly contrary to his Maj$^{ties}$ Royal Instruction; and as to the thousand pounds mentioned for the Imediate Supply of the Treasury, it was couched in the Twenty Thousand pound Bills, from whence tis plaine that the House never intended one should pass without the other; but that if the thousand pounds for the supply of the Treasury would not tempt the Council to break thro' the King's Instruction, their complyance with the Kings Instruction should defeat the supply of the Treasury; but if they had a sincere disposition to supply the Treasury as they pretended and sent up a Bill for the same, they would have soon seen the heartiness of the Council in doing their duty to his Maj$^{tie}$ and the utmost Justice to this Province by the rediest concurrence: As to the Interest of the 1730£ the Council have been long Endeavouring that that Loan might by some means or other be beneficial to the Publick, tho' to their great grief by the disappointment of their attempts in the Hon$^{ble}$ House Private p'sons have enjoyed the benefit of that money at 2½ pr Ct. when there have been many that would gladly have given more than double, yea treble for the same, if they might have been favoured with it; and the Council have this day sent down a vote for the setling that Loan at 6 pr Ct. for 2 years instead of 2½ pr Ct. in order to ease the Tax of the Province which has at last succeeded.

[p. 394.] As to the money in Mr. Atkinson's hands which he rec$^{d}$ of Hugh's Estate long agoe and which ought for several years past to have been in the Treasury, the Council presume his Excelly will take due care that that £292 Ball$^{e}$ settled under his hands be paid by a Course of Law, Since there is no prospect of its being done without it, even after so much indulgence to him who has been so notoriously delinquent, to the vast dishonor of the Goverm$^{t}$ & unspeakable oppression of Sundry poor distressed Creatures, to whome the Province is indebted. As to the House's saying they ought to have a vote in the disposal of the Publick money, the Council Reply, when they the Council think proper to deny that point in Politicks it will be time en$^{o}$ for them *them* to form an argum$^{t}$ against it; but that is not yet got into the Question;—for saying the House of Representatives have nothing to do with a confiscation or forfeiture to his Maj$^{tie}$ by a Judgm$^{t}$ in Court, is not saying the House have nothing to do with the disposal of Publick money, unless it so by some Logick in the House w$^{ch}$ the Council have not Learn'd. As to Mr. Atkinson's declaration of his readiness to pay the money in his hands what is there in it? did he not

declare heretofore, even in the House and most solemnly at the Council Board too, that he would pay part of his Debt at such a time, and the residue in a short space after, & are not the tearms long since Expired? But all the paymt^s^ made let the Treasurer's Accounts answer, which say No, not on^e^ penny. Why then Gen^t^ should you trouble yourselves in making such a mess^a^ & boasting of such declarations? The Council might further very well observe too, that the Scheme of the House for an audit to be appointed by the Gen^l^ Court to examine a Sheriff's Return of an Execution is intirely new—however is a full Evidence that the House have been much bent on trifling. As to what the House propose [p. 395] of the Councils joyning with them in addressing his Majesty by the hand of Our Agent (as they express it) &c. the Council say they know of no Person so qualified. But if the House mean Capt. John Rindge, marriner, then they answer, That when it appears to them that his capacity & other Qualifications are equal to such a Trust & he is hon^d^ with a Comiss^n^ for that place, the Council will readyly do w^t^ is proper on those heads.

Rich^d^ Waldron, Sec^y^.

Then Mr. Secretary Read a Mess^a^ from his Excelly, follow: viz.

*Gen't of the House of Representatives.*

At the first opening of the Assembly I was glad to find in your answer to my speech such professions of Loyalty & Duty to the King as made at least some shew of an inclination in you to conform to his Royal orders, in which article his Majes^ties^ Council have acted up to their duty by non concurring the votes you have sent up for supply of the Treasury, because they were clogg'd with projections for a loane of money which you yourselves knew to be contrary to his Maj^tie^ Royal Instructions: I therefore take all you have been doing in the affaire of the supply to be but trifling, and what I suppose you fully believed could not take effect.

I think his Maj^ties^ Council seem to be Convinced of the great inconveniencys that would ensue upon the Assemblys having leave to Issue more Bills upon loans, since there is at this day upwards of 7000£ outstanding of the £15,000 loan Issued 15 years agoe, & should all have been paid in conformity to the Laws of the Province, in April 1731; and the £7000 unpaid must be either in the hands of the said Comittee for their own use & conveniency, either of which is at this time of day a great abuse & injustice to the Goverm^t^. Till, therefore, Gen^t^ the money due [p. 396] on this Loan be justly & honestly paid in it must certainly tend to the Ruine of the Goverm^t^ and people to Issue any more Bills in such a method.

Altho, Gen^t^ you have been setting the usual time of a Spring Sess^ns^ yet I must repeat to you that you have been really trifling with the Publick affairs, and I am afraid have been too much imposed on and deluded by such as have had nothing at heart but their own Sinister views; and as to the important affaire of supplying the Treasury which you know has been so long empty, and on which the Hon^r^ & Safety of his Maj^ties^ Goverm^t^ as well as the peace & welfare of his People in this Province depend, It is doubtless a matter too great to be play'd with as you have done: nor can your proceedings give you the least claime to that duty & Loyalty to his Maj^tie^ which you have pretended to. I

therefore think it fit for the Kings Hon^r & service as well as for the welfare of this Province, to disolve this Ass^m and thereby to give his Maj^ties good subjects an opportunity of sending such to represent them in the next Assembly as will do all in their Power to retrive the Injustice you have practiced in not paying the Publick Debts; and those that will promote peace & a good agreem^t amongst all the Branches of the Legislature.

March 10^th 1732–3. J. Belcher.

And then Mr. Secretary Declared in his Majesty's name the Assembly Desolved Accordingly.

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*Lieut. Gov. Dunbar's Queries to his Council, 1733.*

[Copied from N. H. Hist. Soc. Collections, Vol. I, p. 275.]

Portsmouth, in New Hampshire, December the 6^th, 1733.

Gentlemen of his Majesty's Council

Ye are all sensible of the difference and dispute between his Excellency, the Chief Governor of this province, and me, as Lieut. Governor, arising upon the meaning of the words of the last paragraph of his Commission, which run thus:—"And we do hereby require and command all officers and ministers, civil and military, and all other inhabitants of our said province to be obedient, aiding, and assisting, unto you the said Jonathan Belcher, in the execution of this our commission, and of the powers and authorities herein contained; and in case of your death or absence out of our said province, unto such person as shall be appointed by us, to be our Lieut. Governor, or commander in chief of our said Province, to whom we do therefore by these presents give and grant, all and singular the powers and authorities aforesaid, to be executed and enjoyed by him, during our pleasure, or until you return to our said Province."

I have sent this paragraph to the ministry in England, for an explanation of it, and represented that the chief Governor insists that he is in this Province, when he is in the Massachusetts; I have consulted the present judge of the admiralty, and the advocate general upon it, and do here lay their opinions before you; I have also consulted several gentlemen upon the same, and never heard one differ from these opinions except some of yourselves. However, I resolved waiting the determination from England, which I now scarce expect, because his Excellency says, he has long since given an account how that he and the Lieut Governor had got to a good understanding and a friendly correspondence, and that he would endeavour it should not be his fault if ever it should be otherwise.

By such account to the ministry, it may seem unnecessary to them to take any thought or order about this dispute, which is the reason that I think myself obliged at this time to desire and demand your opinions by virtue of the oaths you have taken as members of his Majesty's Council of this province, to the following quaeries:

Whether, when the Chief Governor is in the province of the Massachusetts bay, you esteem him to be in New Hampshire; if not, whether,

when he is in the Massachusetts province, he can legally be called or styled Commander in Chief in New Hampshire?

Whether, when he is in the Massachusetts province, he can sign commissions, patents or writs, for calling an Assembly in New Hampshire, and date them the same day he signs them there and transmit them to be passed by his Majesty's council here, which must be some days after?

Whether in the Council's meeting to pass or consent or advise any such patent, or writ, or proclamation, you think there is any necessity of the Lieut. Governor's presence, when by his order the Council is convened? And

Whether, when the Chief Governor is personally out of the province, all proclamations, writs for assembly or orders, ought not to be in the name of the Lieut. Governor or the eldest counsellor first named in his Majesty's Instructions resident within the province, with the approbation of the Council, when proper?

One motive of my desiring the opinions of the gentlemen of the Council upon the dispute and these queries, is, lest I might lie under the imputation of ignorantly submitting my power without making any struggle for it, and that an entry may be made in your journals of this affair with your opinions, that the same may be a precedent for *future times*.

But I hope gentlemen will be cautious and weigh this matter fully and consider what consequences it may have. Your opinions shall determine me until his Majesty's pleasure be known upon it. (1)

DAVID DUNBAR.

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[P. 397.] Anno Regni Regis Georgii Secundi Magnæ Britanniæ, Franciæ et Hiberniæ &c. Septimo.

A JOURNAL OF THE HOUSE of Representatives of his Maj^tes^ Province of New Hampshire began and held at Portsmouth in the Province aforesaid, January the 1^st^ A. D. 1733–4.

The Persons returned according to the Kings writ as Rep-representatives to serve in General Assembly for the several Towns are as followeth, viz.

| | |
|---|---|
| For Portsmouth | Mr. Benning Wentworth<br>Capt. John Rindge<br>James Clarkson, Esqr. |
| Dover | Paul Gerrish, Esq.<br>Paul Wentworth, Esq.<br>Capt. Thomas Millet |
| Hampton | Peter Weare, Esq.<br>Mr. Samuel Palmer<br>Mr. John Sandburn |

(1) It is a subject of regret, that the Council records relating to this matter are not to be found—probably they were destroyed by the fire which consumed Secretary Waldron's house in May, 1736. ED.

| | |
|---|---|
| Exeter | Bartholomew Thing, Esq, Capt. Peter Gilman |
| Kingston | Mr. Ebenezer Stephens |
| New Castle | Theodore Atkinson, Esq. |
| Rye | Capt. Richard Jennes |
| Newington | Mr. George Walton |
| Londonderry | Mr. Robert Boyce |
| Stretham | Andrew Wiggin, Esq. |
| Durham | Mr. Samuel Smith |
| Greenland | Mr. Thomas Packer. |

[P. 398.] The Hon$^{ble}$ George Jaffrey and Jotham Odiorne, Esq. came down and acquainted the House that they were authorized by his Excellency to administer the oaths to the members Pursuant to an act of Parliam$^{t}$ which being done the gen$^{t}$ Return'd.

Joshua Pierce, Esq. came down with a Mess$^{a}$ from his Excellency, viz. That his Excell$^{y}$ Directed the House to make choice of a Speaker.

The House proceeded to the choice of their Speaker. Andrew Wiggin Esq. was chosen Speaker. Then the House made choice of James Jeffrey for their Clerk, and he was sworn accordingly.

A Mess$^{a}$ pr Mr. Secretary, viz. That his Excell$^{y}$ Requires the attendance of Mr. Speaker & the House in the Council Chamber.

Mr. Speaker and the House went up accordingly.

His Excellency made a Speech. Mr. Speaker obtained a coppy & Returned.

Then the House adjourned to the 2$^{d}$ curr$^{t}$.

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Wednesday January 2$^{d}$ A. D. 1733–4.

His Excellency's Speech was read and is as followeth, viz.

*Gen't of the Council & House of Representatives.*

By the last Ships from London I have received an account of the French King's Declaring War against the Emp$^{r}$ of Germany with whome his Brittanick Maj$^{tie}$ is in alliance, & how far this unhappy Rupture may lead to a Gen$^{ll}$ War in Europe is uncertaine; however I think it a faire Alarm to all his Maj$^{ties}$ Dominions to put themselves in a Posture of defence & you cannot but be sensible how naked & Exposed this Province is both by Sea and Land, Fort William & Mary at the Entrance of this River (the only Fortifications his Maj$^{tie}$ has in this Province) you know Lyes [P. 399] in a miserable condition, nor are you ignorant how often I have prest the Repaire of this Fortress

upon the Assembly here, altho' it has forty Guns yet it has for a long time had only a Cap$^{t}$ a gunner and two centinels belonging to it. I hope your own safety as well as his Maj$^{ties}$ Hon$^{r}$ (at this critical juncture) will put you up on doing what is absolutely necessary in this important affaire.

I have, Gen$^{t}$ frequent Complaints of the ruinous condition of the Goale of the Province which will Require a large Repaire or Rather Rebuilding as soon as may be, their being continual Hazards of Escapes thro' its present Deficiency.

*Gen't of the House of Representatives.*

You verry well know there has been no money in the Treasury of the Province for neare three years past, which has greatly Exposed & dishon$^{d}$ the Kings Goverm$^{t}$ and has been a Publick Injustice & oppression—this with the threatening aspect abroad (I have no doubt) will lead you to make ample Provision for what I have now mentioned as well as for all the other Exigencies of the Goverm$^{t}$.

*Gen't of the Council,*

*& House of Representatives,*

Upon my meeting of the Ass$^{m}$ of the Mass$^{a}$ Bay in April last I earnestly recomended to them the passing an Order (agreeable to what had been done in this Province) for putting a stop (at present) to any process in the Law ag$^{t}$ the Borders on the disputed Lines of the two Provinces, But the Public Prints have long since told you it had not the desired Success.

In January last, I wrote verry fully to the Right Hon$^{ble}$ the Lords of Trade, praying them to Represent this long unhappy Dispute to his Maj$^{tie}$, that there might be an end put to the Contention; to which letter I have rec$^{d}$ the Hon$^{r}$ of their Lordships Answer, saying they hope upon the return [p. 400] of my answer to their letter no further delay may be occasioned to the accomplishing a matter of so much advantage to both Provinces, and my answer to their Lordships Letter is Long since gone forward, and I shall rejoyce in seeing this troublesome affaire bro't to a happy conclusion.

Gen$^{t}$ In whatsoever you can project for his Maj$^{ties}$ Hon$^{r}$ & service and for the Prosperity of his good subjects in this Province you shall have my hearty assistance and consent.

Jan$^{y}$ 1$^{st}$ 1733–4. J. Belcher.

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*Governor Belcher's Letter.*

[The following is a Copy of Gov. Belcher's Letter above referred to, and which has never before been published. It was found by Hon. C. H. Bell, of Exeter, among Papers of Secretary Waldron.] Ed.

Although I have wrote you pr. this Conveyance of 5$^{th}$, 8$^{th}$ & 12$^{th}$ Instant, yet the ship being detain'd, I think it my Duty to say to your Lordships, that I have taken all possible Care and Pains, ever since my Arrival, to have the long contested Boundaries betwixt the Massachusetts and New-Hampshire adjusted, agreeable to His Majesty's Royal Orders to me, but I can see no prospect of its being accom-

plish'd, and the poor Borderers on the Lines, (if your Lordships will allow me so vulgar an Expression) live like Toads under a Harrow, being run into Goals on the one side & the other, as often as they please to quarrell, such is the sad Condition of His Majesty's Subjects, that live near the Lines. They pull down one another's Houses, often wound each other, and I fear it will end in Bloodshed, unless His Majesty in his great goodness gives some effectual Order to have the Bounds fixt.

Although, my Lords, I am a Massachusetts man, yet I think this Province alone is culpable on this head. New-Hampshire has all along been frank and ready to pay exact Duty and Obedience to the King's Order, and have manifested a great Inclination to Peace and good Neighbourhood, but in return the Massachusetts Province have thrown unreasonable Obstacles in the way of any Settlement, and altho' they have for 2 or 3 years past been making offers to settle the Boundaries with New-York & Rhode-Island in an open, easy, amicable way, yet when they come to settle with New-Hampshire, they will not do so with them, which seems to me a plain Argument that the leading men of the Massachusetts Assembly are conscious to themselves of continual Incroachments they are making upon their Neighbours of New-Hampshire, and so dare not come to a Settlement. I say, my Lords, in Duty to the King, and from a just Care of His Subjects of New-Hampshire, I think myself oblig'd to set this matter in the Light I now do, nor do I ever expect to see it settled, but by a peremptory order from his Majesty appointing Commissioners to do it, and those agreed to by both Assemblies Febru$^{a}$ 1730–1.

Joseph Talcott Esq. Gov. of Connecticut,
Joseph Jenks Esq. then Gov. of Rhode Island, &
Adolph Phillips Esq. Speaker of the Assembly at N. York,

are Gentlemen of good Ability and Integrity, and altho' the Massachusetts, I fear, will still decline joining in the affair, yet I believe New-Hampshire from their Desire to Peace and good Order, would rejoice to see such a Direction from the King, & be glad to be at the whole Charge rather than the Dispute should still continue. I therefore humbly pray your Lordships so to represent this affair to His Majesty, that there may be an End of Strife and Contention.

And if your Lordships approve of the Bill I now send you for emitting Bills of Credit on a Foundation of Gold and Silver, & that I may have His Majesty's Leave for doing it in the Massachusetts, I pray I may also have the same Liberty of doing it in New-Hampshire, where they are in great Distress for something to pass in lieu of money, and without speedy Help it will be almost impossible for that little Province to support any Trade.

I have the honour to be with all possible Esteem and Respect

My Lords
Your Lordships
Most obedient and
Most Humble Servant
J. B.

Boston,
Janu$^{a}$ 13$^{th}$ 1732–3

These may certify that His Excell$^{y}$ the Governor, sent me this paper from Boston, and assured me that the contents of it were a genuine copy of what he had wrote and sent to the Lords of Trade & Planta-

tions: and also that he afterwards shew me an original letter from the secretary of the Plantation Board, which acknowledged their Lordships' receipt of the Governor's said letter. As witness my hand August 1st 1739: Richd Waldron.

Post Meridiem.

Capt John Rindge Inform'd the House of his proceedings in Great Brittaine Relating to the affaire of the Boundary Lines, & that he had substituted Capt. John Thomlinson (1) to act in that affaire and hop'd the House would accept him, and laid several letters from the said Thomlinson and also the coppy of the address or petition the said Rindge presented his Majtie in Council relating to the affaire of the Lines before the House, all which were read in the House.

Then the House unanimously voted Thanks to the said John Rindge for the good service he had done in Great Brittaine in the affaire of the Boundary Lines between this Province and the Province of the Massachusetts.

Then the House adjourn'd to the 3d currt.

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Thursday, Jany 3d A. D. 1733–4.

Voted, That Theo. Atkinson, Peter Weare & John Rindge, Esqs. be a Comittee of this House to draw up an answer to his Excells Speech & present it the House for approbation.

His Excells speech read again.

The Question was put Whether the House would proceed to Raise a Tax upon the People of this Province to pay the present Debts. It past in the negative twelve agt it and fower for it

[p. 401.] Post Meridiem.

Voted—That John Rindge & Bart Thing Esqs. be a Co-

(1) In 1732, a number of Gentlemen attached to the Episcopal church erected a new edifice in Portsmouth, for the worship of God, according to the ritual of the English liturgy. It stood nearly on the ground where St. John's church now stands. It was called Queen's Chapel in honor of Queen Caroline, consort of George II., who gave the books for the altar and pulpit, the plate, and two elegant mahogony chairs, which are still in use every Sabbath in the altar by the rector. Mr. Thomlinson contributed liberally towards the erection of their church, and procured the aid of persons in London to complete it. It was consecrated in 1734; and in 1736, they obtained Mr. Arthur Brown for their minister, with a salary from the Society for propagating the gospel in foreign parts. Mr. Brown continued service as rector till his death, in June, 1773. *See. Belk., Adams' Ann. and Brewster's Rambles.*

mittee of this House to joyne with such as the board shall appoint to tell over all such moneys as shall be bro't in to be Burnt in the Ass$^{m}$ this sessions. Sent up.

Eod$^{m}$ Die. A Mess$^{a}$ the above was concurr'd and that the Board had appointed Joseph Sherburn & Ephraim Dennet Esqs. to joyne the above Comittee for the same ends.

The House adjourn'd to the 4$^{th}$ curr$^{t}$.

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Fryday, January the 4$^{th}$ A. D. 1733–4.

Voted—That Joshua Pierce, Esq. be recorder of Deeds for one yeare and untill the End of the next sessions after the yeare is Expired and that he take and receive for every Deed he Records two shillings & six pence for his attestation & the like sum for giving out copies and no more. Sent up.

Voted, That Capt. John Rindge, Mr. Bening Wentworth and Mr. Bart. Thing be a Comittee to joyne with such as shall be appointed by the Hon$^{ble}$ the Council to Examine & pass upon all accounts of the Province both of Debt and Cr$^{t}$ and to make return to this House under their hands as soon as may be of their so doing and also to make an estimate of the same that this House may be rightfully inform'd how much the Debts amounts too. Sent up.

A Mess$^{a}$ from Board that the last vote was concurr'd and that Richard Waldron, Jotham Odiorne & Elis Huske, Esq. were appointed at the Board a Comittee for the same.

Post Meridiem.

A former vote for an act ag$^{t}$ killing Deere at unseasonable times past againe.

Then the House adjourned to the 5$^{th}$ curr$^{t}$.

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[p. 402.] Saturday, January the 5$^{th}$ A. D. 1733–4.

There being several Comittees out and not a House to act Mr. Speaker adjourn'd the House to Monday the 7$^{th}$ curr$^{t}$.

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Monday January the 7$^{th}$ A. D. 1733–4.

The several Comittees being still out the House adjourn'd to 8$^{th}$ curr$^{t}$.

Tuesday January the 8th A. D. 1733–4.

A Petition of Elizª Wentworth as Admx to the estate of her late husband Benjamin Wentworth, gent Deceas'd, Praying for Relief agt a Judgmt obt by Capt. Thomas Wallingsford agt Samll Walton her Tent by default in Ejectmt it being got by *covin* between the said Wallensford & Walton in prejudice of the said Elizª &c. was Read & a vote of Council thereon,—also a Petition of the Inhabitants of the Town of Nottingham Praying a Speciall Act agt non-resident Proprietors Relating to asessmts was read.

Post Meridiem.

Whereas there is a vote of Council on the Petition of Elizª Wentworth as above, the House concurs with the following amendmt viz. That there be a hearing on Fryday the 11th currt.

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Wednesday January the 9th A. D. 1733–4.

We whose names are under written being a Comittee appointed by the general assm for receiving and telling the money which should be bro't in to be Burnt, do make Report That we have told over, Bro't in and Burnt, viz. from

| | |
|---|---|
| Geo. Jaffrey, Esq. of the £1500 Loan | £1032:11 |
| From Coll. Henry Sherburn, Trustee for Exchª the old Cypher'd Bills | £ 102: 3 |
| From ditto of the Tax for the yeare 1732 | £ 367: 1:2 |
| From Theo. Atkinson, Trustee for Exchª the old Cypher'd Bills | £ 16:16:6 |

[p. 403.] Ephraim Dennet Bart. Thing
Joseph Sherburn John Rindge.

Voted, That the above Return be accepted and the Several p'sons are hereby discharged of the severall sums received as above mentioned.

Post Meridiem.

A Petition of the Inhabitants of Rochester Praying Relief agt the non Resident Proprietors &c. and a vote of Council thereon viz. That they have a hearing the sixth day of the sitting of the genll assm the next sessions and to serve the Proprietors with a Coppy was read and concurr'd by the House.

Then the House adjourn'd to the 10th currt.

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Thursday January the 10th A. D. 1733–4.

Whereas a former Assembly made choice of John Rindge,

Esq. to be their agent at the Court of Great Brittaine and to Represent to his Maj'tie in Council the Distressing Circumstances of this Province occasioned by the Boundary Lines between this Province and the Massa not being settled, and solicit the speedy settlemt of the same and inasmuch as Mr. Rindge has laid before this House his proceedings and the Petition he presented to his Majtie in Council on our behalfe, which has been read in the House and approved of: Mr. Rindge also has acquainted this House that he has comitted the case of his Agency to Capt. John Thomlinson, Mercht in London, a Gent of known ability & Integrity, with whome he has left all the papers relating to the Lines, and this House being well assured of this Gents good disposition to serve this Province, convinced of the necessity we are under to have an Agent in England to appeare for us at this critical juncture Therefore, Voted, That Capt. John Thomlinson be Agent for this Province at the Court of [p. 404] Great Brittaine to solicit the Speedy settlemt of the Boundary Lines between this Province & the Massa & and to transact any other affaire for the service of this Province as the same shall come to him by Instructions from the Genl Assembly. Sent up.

Post Meridiem.

The vote for an Act agt killing Deer at unseasonable Times sent up. The Comittee about the accounts being out still

The House adjourn'd to the 11th.

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Fryday, Jan. 11th A. D. 1733–4.

The answer to his Excell. Speech Read as followeth, viz.

*May it Please your Excellency*

What fatall consequences the French King's Proclaiming War with the Emperor of Germany may produce and how far it may affect the tranquillity of Great Brittaine time only must discover; but we hope Great Brittaine & the other Powers of Europe may mediate and divert the War with which we are alarm'd & conclude it in a happy and lasting Peace, and this we believe in as much as your Excell doth not mention in your Speech that the advice you recd in the last ships was from the ministry of Great Brittaine who this House apprehends would have sent forward their Directions had they conceived any immediate Danger of a War.

The supplying of the Treasury with such a sum as would be sufficient for the Repairing Fort Wm & Mary, Rebuilding the Province Goal & other necessary demands, together with the Tax already laid by the

several acts for repaying and sinking the several sums Borrowed in the late War ag$^{t}$ the Indians These would require a larger sum than is Possible to be raised upon the Poles and Estates of his Maj$^{ties}$ subjects within this Province, and such an Act would be as distressing as y$^{e}$ callamities of a War, which should this [p. 405] House be instrumental in would not only dishon$^{r}$ his Maj$^{tie}$ but be the greatest piece of Publick Injustice & oppression imaginable—things this House always have and we hope always will be strangers too: And to prevent any imputation of this kind Did in their Sessions in December 1730 pass an act for the emitting £6000 for Repairing the Fort Wm & Mary and for a further supply of the Treasury, w$^{ch}$ said Act past both Houses togeather with the Act for Removing the Courts then held at Portsmouth to the several Towns where they are now held and that the House imagined both these acts would have met the same fate, either both assented to or both rejected. But your Excell$^{y}$ was pleased to pass the Act for removing the Courts and to put the other in your Pocket till his Maj$^{ties}$ Pleasure should be known; since which the House have heard nothing of it. This House hath several times made an exact estimate both of the Debts and Credits of the Province and voted into the Treasury what was then found due to the Province to discharge the several claims then made which votes was sent down from the Council nonconcurr'd & a mess$^{a}$ to the House in writing wherein they say the House had nothing to do with that money which this House thinks a very extraordinary Mess$^{a}$ and by which means that money is still out of the Treasury, as is also the Interest of the 1730£ which the last Assembly voted into the Treasury & if any Borrowers of that money refused to pay the Interest then due and renew their Bond then such delinquent Bonds to be put in suit at June Court then next Ensuing by the Speaker of the House for the time being, to whom those Bonds are made payable. But your Excellency was pleased to Disolve that House, by which means the Speaker was rendered incapable of demanding that money according to that vote, which hath occasioned a loss to the Province. We hope this will take of any imputation of Injustice or oppression & confirm your Excell$^{y}$ in the [p. 406] good opinion which you Expressed towards this House by saying we had always done every thing that a Gratious King could expect from a dutyfull and Loyal People—a charrector we have always been so fortunate as to have and what shall always Endeav$^{r}$ to deserve: And therefore we think it highly expedient to address his Maj$^{tie}$ for leave to Emitt from time to time such sums of money on the Credit of this Province as he in his great Clemency and goodness shall think sufficient for those things mentioned in your Excell$^{s}$ Speech, in which we hope for the concurrence of the Council.

Your Excell$^{y}$ receives the thanks of this House for recommending the Distressed Circumstances of the Borderers on the controverted Lines and a stay to any Process ag$^{t}$ them to your other Goverm$^{t}$ tho' it had not the desired effect: Some of those Towns being by those Law Suits Extreamly reduced: some of them having expended neare a 1000£ in the Law besides their loss of time and Improvm$^{t}$ But this by what your Excelly mentions and by the success Capt. Rindge (the Agent to this House) had while at the Court of Great Brittaine, gives us great hopes that That controversy will be speedily determined, understanding a copy of his memoriall to the King in Council has been

transmitted to the Mass[a] for their answer, by the beginning of November last, at which time we hope there will be no further delay. We beg leave to assure your Excelly that thfs House are met determined to act every thing in their power for the Hon[r] & service of his Maj[tie] which we conceive can by no means be severed from the true Interest, Prosperity and Safety of his good subjects we Represent.

Andrew Wiggin, Speaker.

Voted accepted and sent up.

Inasmuch as this house may not be destitute of an agent at the Court of Great Brittaine in this difficult time & in a time when we have the greatest occasion for a proper p'son to Represent the Circumstances of this Province,

Therefore Voted, That Capt. John Thomlinson be agent [p. 407] for this House of Representatives to all intents and purposes & as fully as in *in* the Power of this House to appoint him, hereby giving him power to transact any affaire y[t] may be transmitted him from this House relating to the Lines of the Province.

A vote for £3000 for supply of the Treasury to run beyond 1742 sent up.

Post Merediem.

Voted, That those p'sons that have the £1730 now at 2½ pr ct. do by the 25[th] of Ap[l] next pay in their Interest due into the Treasury & Renew their Bonds to pay 6 pr ct pr annum for so much of the said money as each p'son hath, and those p'sons that are not willing to give the said sume of 6 per ct pr annum for said money they shall pay the Principle sum and Interest then due by the said 25[th] of April next and if they do not pay the Principle and Interest at the time aforesaid that then the said party's so refusing his Bond to be put in suit at the next Court in June.

A mess[a] Bro't down the vote of the House this day for Emitting 3000£ nonconcurr'd at the Board, and a vote of Council thereon for the like sum as follows, viz:

In Council, Jan[y] 11[th] 1733–4. Voted that there be an Emission of 3000£ as soon as may be for paying the Debts of the Province which are now or shall be due and that the same be bro't into the Assembly and burnt in thirds, viz. in the yeare 1740, 1741 & 1742, and that an Act be drawn up in form accordingly.

The reason why the Councils voting the payment within 1742, is because they well know (as they suppose the Hon[ble] House or the major part of them are well acquainted also)

That his Majtie has Prohibited his Excelly to signe any Emission of Bills to be outstanding beyond that year.

Voted that Eliza Wentworth have liberty to bring in a Bill.

[p. 408.] An act Relating to the Proprietors and non Residents in the new Towns Read the first time.

Then the House adjourned to the 12th currt.

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Saturday Jany the 12th A. D. 1733–4.

Whereas there is several sums of money lodg'd in several p'sons hands for Exchanging the old Decyphered & other Province money viz. in the hands of Coll Henry Sherburn, Coll. Peter Weare, Coll. John Plaisted, Capt. John Penhallow & Theo. Atkinson or any other which sums are more then is sufficient for answering the end proposed and there being no fund therefor, Therefore voted, that the several p'sons bring in the several sums in their hands to the genll assembly on the second day of the next spring sessions.

Then the House adjourn'd to Monday the 14th currt.

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Monday January 14th A. D. 1733–4.

After several debates the House adjourned to the 15th currt.

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Tuesday, January the 15th A. D. 1733–4.

A Petition of Mary Emerson & others Praying a Revival of a suite before Govr & Council. Read and voted said Petition be dismiss'd.

The Act relating to the Proprietors and non Residents in the new Towns read 2d time.

Post Meridiem

The above act for the new Towns Read a 3d time and past to be Enacted and Engross'd.

A Messa came down from the Board with the vote of this House of the 11th currt about the £1730, with a vote of Council thereon, viz.

In Council, Jan. 15th 1733–4.

Forasmuch as there is now subsisting an order of genll assembly past at ye last sessions in March last, by which

there is [p. 409] better provision for the calling in the 1730£ above mentioned, therefore voted a nonconcurrence.

Eod^m Die. In the House &c. the within vote of Council read & non concurr'd and voted that the House adhere to their vote with this amendm^t viz. That the several Bonds be taken to run for one yeare only from the 25^th Ap. next and that a Comittee be appointed to take the Bonds.

Whereas the Gen^l Ass^m of this Province in order to secure the same from the Depredations of the Indian Enemy, Did make and emitt sundry sums of money on the credit of this Province, which said several sums were expended in his Maj^ties service in defending the same from the Indian Enemy and which said sums were by several acts to be repaid into the Treasury by a Tax on the Inhabitants of this Province and burnt in order to sinck the several Funds on which they were emitted, which said acts for several years pass^d have [not ?] been comply'd with and being nine years behind & each yeare between this and the yeare 1742 being loaded with as much as is possible to be raised by a Tax Renders this goverm^t uncapable of Raising such sums as were they able they would cheerfully do in order to support the Hon^r of the Province by paying all their just Debts & allowances and Repairing and providing for the Fort Wm & Mary and other necessary Expences of Goverm^t. And his Excelly Gov Belcher having Informed the House that he can neither Postpone the paym^t of any of the above said sums nor assent to any new Emission of a Paper currency unless it be sadled on some one or more years between this and the yeare 1742, which would be impossible to collect should this House make any such Grant:

Wherefore to show the Readiness of this House to do every thing for the Hon^r and safety of his Maj^ties Goverm^t Voted that his Maj^tie be addressed on the behalf of this Province & humbly prayed that he would graciously be pleased to [p. 410] grant liberty to his Excelly to pass an Act for the emitting such a further sum of Bills of Credit on this Province as shall be sufficient to Repaire our Fortifications & for such other supports of Goverm^t as shall be allowed by the gen^l ass^m, and that Theodore Atkinson, John Rindge & Mr. Speaker Wiggin be appointed by this House to draw up such Address in the Recess of the ass^m & send it forward; that the Hon^ble the Council be desired to address his Maj^tie on the

same head and that his Excelly be desired to unite in favor thereof. Sent up.

Then the House adjourn'd to the 16th curr$^{t}$.

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Wednesday Jan$^{y}$ 16th A. D. 1733–4.

Whereas there is in Mr. Atkinson's hands, of Hues & p$^{t}$ of Ambler's money, £282:18:1.

Voted that the said Sum be paid into the Treasury for the paym$^{t}$ as hereafter, viz.

Two hundred pounds thereof for paym$^{t}$ of the soldiers of the Fort Wm & Mary & Eighty two pounds eighteen shillings and a penny to be for the Repairing the Goale . . . And whereas there is outstanding

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|---|---|
| of Amblers money in Jos. Smith's hands | £15:14:6 |
| And in Paul Gerrishes hands | £2: |
| And the Interest of the £1730 to the 25th April, 1734 | £243: |
| | £260:14:6 |
| Atkinsons above | 282:18:1 |

Also voted that the said Interest money & Amblers money be paid into the Treasury for the paym$^{t}$ as here under, viz.

| | |
|---|---|
| To the Secretary for the yeare 1731 | £75: |
| To the Clerk of the Ass$^{m}$ for the yeare 1731 | £15: |
| To Benj$^{a}$ Akerman as Dore keeper for the year 1731, | £10: |
| To the Sherrif for the yeare 1731 (if not paid) | £15: |
| To Jere Libby allowance May 12, 1732 | £13:14:8 |
| To Benj. Rust for House Rent, &c. | £16: |
| To Stephen Greenleaf, £2:19, John Trundy 26$^{s}$, Tho. Harvey 52$^{s}$:8, Denbo £5: | £11:17:8 |
| To Michael Whidden | £ 4:13:4 |
| | £161:05:8 |

[p. 411.] The remainder of the Interest for the payment of the Stationer, Expreses and other Contingencies (or the Prison if the above is not found to be En$^{o}$) and that John Rindge & James Clarkson, Esqs. be a Comittee of this House to Joyne with such as may be appointed at the Board to manage the affaire of the Repaire of the Goale. Sent up.

Mrs. Elizabeth Wentworth Bro't in her Bill which was read the first time.

Post Merediem

Mrs. Wentworths Bill read a 2$^{d}$ time & Read a 3$^{d}$ time & past to be Enacted.

An Act for amendm$^{t}$ of misreciteing in Reasons of appeal read 3 times & past to be enacted & Engross'd

An Act for the more easy & Ready Prossecuting Writs of Ejectm$^{t}$ and writs of Trespass & Ejectm$^{t}$ read 3 times & past to be enacted & Engross'd. All sent up for concurrence.

Whereas there is now outstanding of the £15,000 Loan in the Borrowers hands between six or Seven thousand pounds for which sum the several Towns within this Province are by the act lyable to make good to the Grand Comittee in case the p'ticular security given should not be sufficient to discharge the mortgages given by p'ticular p'sons, and in as much as the said money is to be burnt when Collected & the Province haveing now no Revenue for the Repairing the Fort & other necessary charge of Goverm$^{t}$

Therefore Voted That the grand Comittee be directed forthwith to give notice to the several p'sons in whose hands the said outstanding money is, That they immediately pay in the same to the said Comittee or give a new security therefor and that instead of its being Bro't in and Burnt That they pay after the Rate of six pr Ct. pr Annum, each p'son for so much as he shall have in his hands and the Bonds made for the same not to run longer than the yeare 1742, and that Interest that shall arise [P. 412] thereon from time to time be put into the Treasury for paym$^{t}$ of the Repairs of the Fort & such allowances for and towards the support of the Goverm$^{t}$ as shall be from time to time made by the Gen$^{ll}$ Ass$^{m}$ & if any p'son after notice given refuse to give such further security, that then the said Comittee immediately Issue out Extents on the Mortgages Sent up.

Then the House adjourn'd to the 17$^{th}$ curr$^{t}$

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Thursday Jan. 17$^{th}$ A. D. 1733–4.

An Act for Bills of Credit to be a Lawfull tender on Specialties Read three times and past to be Enacted & Engross'd & Sent up

Post Merediem

Mr. Secretary Bro't a written Mess$^{a}$ from the Council which was read in the House as followeth, viz

In Council, Jan. 17$^{th}$ 1733–4.

In Answer to the Mess$^{a}$ of the House of the 15$^{th}$ present, desireing the Council to Address his Maj$^{tie}$ for leave to

Emitt a further sum of Bills of Credit, The Council say they are willing with the utmost readiness to do every good thing in their Power that the House can suggest to them for the advantage of the Province, and are heartily sorry that the House and they cannot think more alike than they do at p'sent, and as to asking leave for a further Emission of Bills of Credit as the case now stands

The Council conceive it would be an affront to his Majtie so to do, for notwithstanding his Majties strict Orders to his Excellv to see the several Emissions Sunck according to the Periods provided which the Govr has Endeavoured as far as in him lay to have accomplisht, yet there is between six or seven thousand of the 15,000£ loan now out and unpaid, and 1730£ more being a loan on another footing outstanding also, which ought to have been paid in & Burnt long ago, and till these impedimts are Removed, the Council must be Excused from any address of that kind. [p. 413.] However they think themselves obliged both in faithfullness to his Majesty and the good People of this Province to Represent to his Majtie the true State & Circumstances of New hampshire, which they purpose to do in the close of the Sessions, that his Majtie in his Royal Wisdom may give such orders as may Save a Province from being lost for want of a due care amongst themselves for its support and Defence.

Passd unanimously & ordered to be sent down.

Eodm die the following vote Bro't down, viz.

In Council, Janv 16th, 1733–4.

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|---|---|
| Whereas there is in Mr. Atkinsons hands, | £656:14:10 |
| In Coll. H. Sherburns | £278:10:11 |
| In Coll. Peter Wears | £ 30:12: 0 |
| In Coll. John Plaisteds & J. Peirce | £ 50: 3: 8 |
| In Coll. J. Plaisteds more | £ 62:18: 5 |
| Due from Coll. M. Hunking's Estate, | £ 17:15: 9 |
| As the House of Representatives had made it, | £1096:05: 7 |

Voted, That the same be immediately paid into the Treasury to discharge the Public Debts as far as it will goe, and that an Act be past to bring the same into the Treasury againe by a Tax in Eight equal Paymts in the eight years next coming, and as Bro't in to be burnt to ashes.

Past unanimously and sent down.

In the House Read & non concurred unanimously, and sent up.

Eod$^{m}$ Die, The following Vote Bro't down from the Board, viz.

In Council, Jan$^{y}$ 16$^{th}$, 1733–4. Whereas the 1730£ due to this Province from several p'sons is a Debt of neare twenty years standing, & many attempts have from time to time been made to call in the same, but as yet to no purpose and whereas it is his Maj$^{ties}$ Express Comand to his Excelly the Governour to take especial care that the Bills of Credit of this Province be sunck according to the periods &c. In conformity therefore to his Maj$^{ties}$ Royal Pleasure and to the Interest [P. 414] of this Province that there may be no more fruitless Expence of time in *pro* ing and *con* ing about that Debt,

Voted, That the Bonds for the 1730£ be imediately put into the hands of the Attorney Gen$^{l}$ and that he upon receipt thereof Demand from the several Debtors the several sums due by their Respective Bonds, and that as he shall receive the same he shall pay the Interest to the Treasurer to discharge the Publick Debts and shall keep the principle till the next Sessions of the General Assembly after he has received it, when he shall deliver the same into the said General Assembly to be Burnt; and in case the Debtor refuse to pay between this and the 25$^{th}$ of April next, That the Bonds be put in suite the June Court next after and that the Speaker give a power of Attorney to the Attorney Gen$^{ll}$ accordingly. passd unanimously & ordered to be sent down for concurrence.

Then the House adjourned to the 18$^{th}$ curr$^{t}$.

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Fryday, January, 18$^{th}$ A. D. 1733–4. The above vote of Council of the 16$^{th}$ curr$^{t}$ Read & non concurrd unanimously.

Whereas by the vote of this House of March last past a Comittee then was chosen for the renewing the Bonds for the 1730£ whose power together with the power of the Speaker for renewing the said Bonds at 6 pr ct. leas'd by the Disolution of the then Assembly, therefore voted, That the House adhere to their votes of the 12$^{th}$ & 15$^{th}$ Inst. relating to the said money. Sent up.

The following vote of Council Bro't down late last night on the foot of the vote of this House of the 16$^{th}$ curr$^{t}$ Relating to the Interest money & Ambler's money was read, viz.

In Council January 17th 1733–4.

Voted a concurrence, with this amendmt, That in case the Debtors before mentioned do not pay the full sums justly due from them on demand (which the Treasurer shall be directed forthwith to make) That then the Treasurer shall immediately sue for the [p. 415] same, Provided nevertheless that this vote of concurrence with amendmt shall be no impediment to his Majtie to Review his Suit at the Supreme Court 'gainst Mr. Atkinson for Hues money in his the said Atkinson's hands.

Eodm Die. In the House Read and non concurr'd and voted that this House adhere to the former vote. Sent up.

Mr. Secretary Bro't down a written Messa from his Excellv which he said he was ordered to read & leave which is as followeth, viz.

*Gentlemen of the House of Representatives*

You have now been Conven'd in Genl Assembly the usual length of a Sessions, and altho' I laid before you at your first meeting the necessity of the repair of his Majtys Fort and the Goal together with the payment of your just Debts, yet you have not to this day made the least provision in these important articles; but in duty to the King I am still waiting on your further deliberations and wish they may be to your own honour & to the safety, peace & good order of the Governmt yet if yo are come to a resolution not to pay the debts of the Province but by Extending ye funds beyond ye year 1742, which for me to consent to would be a manifest violation of the King's royal orders, I say, if you are so resolved I shall expect your direct & final answer, that the good people of this province may know who are accountable for any mischievous consequences from a neglect of so high a nature, and which I shall faithfully represent to his Majesty.

J. Belcher.

Janv 18th, 1733–4.

After reading the above, Mr. Secretary said he had another Messa from his Excellv, viz. That since there was severall members wanting, and business of the greatest moment to act, That his Excellv ordered the Assembly to be adjourn'd to Monday the 21st currt and then declared the Assembly adjourn'd accordingly.

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[p. 416.] Monday January the 21st A. D. 1733–4.

Mr. Secretary Bro't down a vote of this House of the 10th currt for appointing Mr. John Thomlinson Agent for this Province with a vote of Council thereon of the 16th currt viz.

In Council January the 16th 1733–4.

The vote on the other side being read but Mr. Rindge's proceedings not having been laid before the Board neither a coppy of his Petition to his Majtie The Council are not capable of making any Judgmt thereon, who must judge for themselves, however satisfied the House may be in the affaire; & whereas the Council have no personal acquaintance with the gentleman proposed for an agent, neither knowing of his abilities (however capable and worthy he may be) and moreover for as much as there is an average yet due to the two former agents and no supply yet made either to pay the old or a new one, and besides notwithstanding the great assurances & raised expectations of many touching the settlemt of the line the Council cannot be of opinion that the present scheam can possibly succeed, and therefore are necessitated to non concur the vote which they do hereby accordingly,— passd unanimously & ordered to be sent down.

In the House a memorial was drawn up & read and voted to be drawn up Plaine to be sent home from the House.

Then the House adjourn'd to the 22d currt.

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Tuesday Jan. 22d A. D. 1733–4.

Voted, That Theodore Atkinson, James Clarkson & John Rindge, Esqs. be a Comittee to answer his Excellys Messa of Jan. 18th currt & Bring the same at 3 o'clock.

Post Meridiem

Whereas this House did vote an Address to his Majtie therein setting forth the difficulties this Province Labours under for want [P. 417] of his Majties Royal Licence to Emit a further sum of Papper Currency, Therefore voted That the Honble the Lords Comissrs of Trade & Plantations be address'd from this House to use their Interest with his Majesty in behalfe of this Province in order to obtain the said Licence and that Mr. Speaker Theo. Atkinson & John Rindge Esqs. be a Comittee of this House to draw up such Address in the recess of the Assembly and transmitt the same to their Lordships.

Voted nemine contradicente.

The Comittee for answering his Excellys Messa of the 18th currt Brot in their draught which was read in the House as follows, viz.

*May it Please your Excellencie,*

Your Excellys Messa to the House of Jany 18th currt has had its due weight & consideration and this House begs leave to Inform your Excell^y that they have by their vote of the 16th currt directed to the calling into the Treasury all the money due to the Goverm^t and appropriated the same to the paym^t of the soldiers & Repairing the Goal & paying other Debts due from the Province, but the Council past such a vote thereon as intirely defeated the end proposed by the House in said vote. And this House haveing voted to address his Majestie for Liberty to Emitt a further sum of Paper Money in order to repaire the Fort & other contingent charges of the Goverm^t, and inasmuch as we may Reasonably Expect his Majties Royall Pleasure thereon sometime in the Spring, & your Excelly having inform'd the House that you cannot postpone the paym^t of any money already Emitted nor Emitt any further sum but which must be repaid in some of the years between this and the years 1742, which years are already sadled with as much as the People can pay, which are the only ways this House can at present propose for [p. 418] rebuilding the Fort, &c. Therefore this House thinks themselves in faithfulness to the People whom they Represent bound to suspend the consideration of that affaire till next Spring sessions of the Gen^l Assembly.

In the House voted, accepted and to be sent up.

A vote Bro't down from the Board & read as follows, viz:

In Council Jan. 22d 1733–4.

Whereas it has been suggested to the Board that the House have misrepresented the Council's vote of Amendm^t of the 17th present on the vote of the House the day preceding touching Hughs and Amblers money, This is therefore to assure the Representatives that the Council never intended that the money above mentioned should be paid but once and to convince them of the truth thereof do now vote, That Mr. Atkinson do forthwith pay Hugh & Amblers money in his hands into the Treasury to pay the Debts allowed by the Gen^ll Ass^m and in case of refusal or non paym^t that he be prosecuted for the same at the next Infer. Court by the Treasurer or by Review at the next Superior Court in August which the House shall think best. Mem°. This vote of Council to be no impedim^t to a Review in case the House nonconcurr it.

Eod^m die. In the House, &c. read and concurred, with this amendm^t (or plainer Expression) That the above said money be forthwith paid into the Treasury & that 200£ of it be for paym^t of the soldiers at Fort William & Mary, & £82: 18: 1, for the Repaire of the Prison according to the vote of the House of the 16th currt and that if not paid ac-

cordingly, That the action be reviewed at August Court. Sent up.

Then the House adjourn'd to the 23$^{d}$ curr$^{t}$.

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*Communication of Gov. Belcher to the Council Jan'y 22d 1734.*

[Copied from the original in Secretary's office.]

*Gent'n of his Maj'tys Council*

You may recollect that some time in Dec$^{r}$ 1732, Capt. King arrived at Boston from London and bro't his Maj$^{tys}$ Royal mandamus for admitting Josh$^{a}$ Pierce, Esq., Mr. Benning Wentworth and Mr. Theodore Atkinson to be of his Majestys Council for New Hampshire, which mandamus's were directed to me as his Majestys Governour of this Province, and the Gentlemen above mention'd in violation of their duty withholding them from me, I ordered Mr. Secretary Waldron to notify the detention of them in the publick prints, after which Mr. Peirce wrote me a dutifull letter pleading ignorance in the affair, upon which I directed his being sworn; but so far were Messrs Wentworth & Atkinson from a sense of their duty that they went on with their rudeness and ill manners in detaining his Maj$^{tys}$ commands to me for a fortnight after my being in the Province last year when they bro't them desiring to be sworn, but after such an insolent behaviour I could not think it for his Majesty's honour to admit them at that time, and represented to his Majesty's ministers what had pass'd in this affair; and notwithstanding what has been suggested by one of these Gentlemen of my receiving fresh orders to admit him, I take this opportunity of declaring that to be a great mistake, for that I have not to this day rec$^{d}$ any fresh order in this matter, & yet you are sensible, Gentlemen, that I sent for Mr. Wentworth and Mr. Atkinson the 1$^{st}$ of this month before they had taken their oath in the House of represent$^{s}$ and told them that I was ready to admit them to be of his Majestys Council & had ordered the Secretary to administer the oaths to them, which they finally refused to take (for the reasons enterd on the Council Book) I therefore desire your advice and opinion on what has passed in this matter, and what may most conduce to the King's Honour as to my future proceeding in it

January 22$^{d}$, 1733–4. J. Belcher.

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Pro. N. Hamp$^{r}$. At a Council Jan$^{y}$ 22$^{d}$ 1733–4 (being Tuesday) at the house of Mr. Gambling in Portsm$^{o}$.

Present, his Excelly the Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton<br>Jotham Odiorne<br>R. Waldron | } Esqs | Benj. Gambling<br>Josh$^{a}$ Peirce<br>Jos. Sherburne<br>Ellis Huske | } Esqs |

In answer to his Excelly$^{s}$ representation relating to y$^{e}$ conduct of Messr$^{s}$ Wentworth and Atkinson touching their admission to the Council Board, & his demanding of our opinion, and advice thereon, We say it is our opinion that their behaviour on that occasion was in the beginning very indecent, and at least highly contemptuous of his Maj-

esty and his royal orders, and do therefore humbly advise that their behaviour & refusal may be laid before his Majesty in order to his Majesty giving such direction thereon as may best consist with his honour & wisdome.

Pass'd unanimously.

R. W. Sec$^{y}$.

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Wednesday January 23$^{d}$ A. D. 1733–4.

Voted, That the Borrowers of the £15,000 that hath not paid in their Respective Sums according to the acts and [p. 419] votes made thereon do forthwith pay into the Treasury for one year at 6 pr ct. to the first Monday in March 1734–5, and that such Interest be for the paym$^{t}$ of the Publick Debts of the Province as shall be ordered by the Gen$^{l}$ Assembly and all such as do not comply with this vote & do not bring in the Interest for one yeare by the first Monday in March next Extents shall forthwith be Issued against their lands, and all such as do comply with this vote Extents shall be stayed for one year. Sent up.

Post Meridiem.

Mr. Secretary came with a Mess$^{a}$ that his Excell$^{y}$ Required the attendance of the House in the Council chamber. Mr. Speaker and the House went up accordingly. His Excelly made a Speech. Mr. Speaker pray'd a Coppy and had it, which is in the words following, viz.

*Gen't of the House of Representatives.*

I shall be heartily glad that the fears of war (by the advice from Europe & other parts) may finally vanish and that a Lasting Peace may be Established by y$^{e}$ mediation of our most Gracious Sovereign. But should it happen otherwise you must witness for me that I was desireous to have Rouz'd you to make the best preparation for the safety of his Maj$^{ties}$ good Subjects of this Province. To say you are not able to Repaire the only Fort in the Province or to make the Goal secure is trifling with things of the Greatest Importance, and againe to refuse paym$^{t}$ of your Debts is a great dishon$^{r}$ to his Maj$^{ties}$ Goverm$^{t}$, a manifest violation of the publick faith & an act of high Injustice to all those to whom you are indebted. I must, Gentlemen, correct y$^{o}$ in a gross mistake when you call yo$^{r}$ selves the same House of representatives that sat here in the year 1730; whereas y$^{o}$ had not a being 30 days agoe tho' many of you were members of the House then that are so at this time [p. 420] which makes it the more surprising to me that y$^{o}$ should be guilty of so gross a misrepresentation (not to cal it a name it more justly deserves) as to presume to say that there was an expectation of the same fate of both the two Acts then projected, one for removing the Courts, the other for Emitting £6000, because at the opening of that sessions I laid before the House his Majestys royal

orders, forbidding my Giving my assent to any bill of the nature of that for £6000, but yet I call'd up the House of Represent$^{s}$ to y$^{e}$ Council Chamber before they had pass'd the Bill, & told y$^{e}$ whole Court, If they pass'd such a bill I w$^{d}$ write home in favour of it & Endeavour to get leave to sign it: To which I rec'd from the R$^{t}$ Hon$^{ble}$ the L$^{ds}$ of Trade the following Answer, dated at Whitehall July 6$^{th}$ 1731:

Whitehall, July 6$^{th}$ 1731.

We have considered the N. Hamp$^{r}$ bill "for Emitting £6000 in bills "of Credit & postponing y$^{e}$ paym$^{t}$ of y$^{e}$ money that shall be due on "y$^{e}$ 25$^{th}$ April 1731, but we can by no means advise his Majesty to "allow y$^{o}$ to pass any such bill as it must in consequence lower y$^{e}$ "credit of the Province whereby their Trade must greatly suffer."— which being a further Prohibition I tho't it to little purpose to communicate it. y$^{o}$ say this House had several times made estimates of y$^{e}$ debts &c. How can this be since y$^{o}$ never had but one opportunity to do it. As to the 1730£ w$^{ch}$ has been outstanding for neare 20 years at only y$^{e}$ small Interest of 2½ pr Cent, you have never yet voted it to be call'd in but by a renewing y$^{e}$ Bonds to a longer time, altho' y$^{o}$ well know that the King's orders to me are y$^{t}$ all the outstanding moneys of y$^{e}$ Province shall be paid in according to y$^{e}$ several periods at which they become due. If therefore any loss happen on this [p. 421] account y$^{o}$ are chargable with it.

I must observe to y$^{o}$ the great absurdity of your laying claim to what I said to the House of represents, 3 years agoe, who did every thing in their power for his Majestys honour and for y$^{e}$ good of his people, and you have been acting the very reverse in this Session by Exposing the King's Government, by leaving his subjects naked and insecure & by a cruel oppression in withholding (after near 3 years) the just dues of all those to whom the Province is in debt.

The singular rudeness contain'd in your answer to my Speech I suppose is not to be match'd unless by a memorial sent from a neighboring Province to the Hon$^{ble}$ the House of Commons of Great Brittaine & by that August Body Voted an high Insult on his Maj$^{tys}$ Government; and that was relating to the same affairs you have been upon this Sessions, (viz.) the supply of y$^{e}$ Treasury & protracting the funds: And his Majesty upon an Address from y$^{e}$ Same Province on those heads declared in a fresh order to me his high displeasure at such their proceedings.

I have now been waiting on y$^{o}$ beyond the common length of a session and finding you are determined not to do one act of safety to the Province or justice to those to whom you are indebted, I have order'd this Court to be dissolved, hoping an other may come together well disposed to the service of their King and of their Country.

Jan$^{y}$ 23, 1733-4. J Belcher.

Then Mr. Secretary in his Maj$^{ties}$ name declared the Ass$^{m}$ Dissolved, Accordingly.

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In Council.

After the General Assembly was dissolved Mr. Atkinson made a motion to his Excellency in Council that as the rea-

son of his refusing to be admitted into the Council the 1st Instant was removed he was now ready to take the oaths, to which the Governor answered as follows:

Sir,

Your refusing to accept the royal favour of being of his Majesties Council when I offered to admitt you three weeks ago, I look upon so great a disrespect to his Majesty as makes it necessary for me to represent home your Contemptuous behaviour before I admit you to the honour of being of his Majesties Council of this Province.

In Council Voted That the Govr draw for his next half year's salary when it becomes due, viz. 25 Feb. next.

In Council Advised that his Excellency Issue a writ for convening an Assembly when he shall think proper.

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*Gov. Belcher's Order about £15,000 loan.*

[From MS. Corr. in Secretary's Office, p. 79.]

*Gent'm* Ye Act for ye Emission of ye £15,000 loan provided yt ye same should be paid & burnt in ye year 1728, and ye after Law for post poning ye paymt of it (wch was an Act of great indulgence to ye borrowers) enacted that ye utmost farthing of that sum should be consumed to ashes by ye 25 Apr 1731, since wch yo have had my repeated orders to do your duty on that head, & been once & again Informed that it was His Majestys Express Command to me to take especial care that all publick bills should be call'd in & sunk according to the Periods and Provisions of ye respective Acts, & yet between 6 & 7000 of ye 15 remains still unpaid, which is a great injustice to the possessors of the bills of yt loan, a breach of your trust, & a comtempt of his Majtys Royal order to on that head, whereupon I am obliged in duty to His Majesty and faithfulness to ye Province once more to require you, and you are hereby strictly required & commanded wthout any further delay or Excuse imediately on rect hereof to put the laws relating to ye above mentioned loan in Execution on pain of his Majesty's highest displeasure, and as yo will answer ye contrary at yor peril. You are alike required forthwth to send me the exact account of ye state of that loan from your last account & what payments have been made in Massa Connecticut or Rhode Island bills & by whom.

Given under my hand ye——day of March, 1733, & in ye 7th year of his Majtys Reign.

To ye Gent Comittee for
managing ye £15,000 loan
in N. Ham.

Indorsed.—"Gov. Order abt 15000£ loan, sent March 4, 1733-[4] copy."

*Letter from John Sharp (1) to Gov. Jonathan Belcher.*

[Original in his own hand.]

[From MS. Corr. in Secretary's office, pp. 81–83.]

*Hon'ble Sir—*

I beg leave to acknowledge the Favour of your very kind & obliging Letters, & to return you my best thanks for your generous Present of Green Wax Lights, than which nothing could be more agreeable to me. I am greatly concern'd that Mr. Dunbar should prove so troublesome a Substitute; but I have had an opportunity of seeing something of the Temper of his Brother, & if his is the same, I don't at all wonder at any Embarrassment he would endeavour to throw in the way of your Excellency's Administration; but your Excellency's superior Genius can look down upon these Attempts with their deserv'd contempt, & whenever you are pleased to exert your Power, moulder the authors of them into Dust. You know his Patron at home, & Mr. Dunbar pleasing himself with being secure in his Protection, vainly imagines that Gentleman's Countenance is sufficient to put him on a Level with his Governour; but I hope & am fully perswaded a very little time will show the egregiousness of his Folly, & humble him to that Rank which he ought to be contented with.

The first Degree of Power in every Province ought only to be intrusted to those of great & exalted minds, & will always, by a wise Prince, be kept at a distance from or out of the reach of all, who are of a grovelling & mean Disposition; & I am therefore fully convinc'd your Excellency will continue to hold your Reins of Goverment, without a possibility of their being snatch'd out of your hands by this vain aspiring man; & that he will Phæton-like fall in the Attempt he is now making for that purpose; for he has presented the most extraordinary Petition, the end of which is to obtain two very modest Requests, tho' intirely inconsistent one with the other: to wit, that he may be made Governor-in-Chief of New Hampshire, & that he may have a moiety of your Excellency's Salary as such; but men of poor & low talents will always blunder in this manner. I would have sent your Excellency a Copy of his Petition, but that I had not notice of this ship's sailing, till within this half hour; & I presume you will receive it from the ingenious young gentleman, your son, or Mr. Partridge. Mr. Paris, who is employed by Capt. Thomlinson for Mr. Dunbar, has given me notice to move the Lords of the Committee tomorrow night to take the Petition into their consideration, when I shall pray their Lordships to suspend proceeding on the said Petition till a copy of it can be *first* transmitted to your Excellency, & your Answer can be receiv'd; & in which I make no great Question but I shall prevail: And your Excellency may be assured, that in this, as also in the affair of the Naval Officer, & in every other matter wherein your Excellency is any ways concern'd, every Assistance in my Power shall be always at your service, being with the greatest Truth and Respect

Hon^ble^ Sir, your Excellency's most obliged &
most obedient, faithful humble servant,

19^th^ March, 1734, JOHN SHARPE.

His Excellency Gov^r^ Belcher.

(1) John Sharpe, of England, was one of the Lords of Trade & Plantations. ED.

*Letter of Gov. Belcher to Lt. Gov. Dunbar.*

[Copied from MS. in Secretary's office.]

*Hon'ble Sir—*

I have ordered the Nuptials of the Prince of Orange with her Royal Highness the Princess Royal to be celebrated here to-morrow, in the handsomest manner we can; and on the Receipt of this it is my order, That you direct his Majesty's Council to attend you, and consult with them how to show the greatest Respect to his Majesty and the whole Royal Family on this great & happy Event; and particularly direct that you fire at Fort William & Mary what Guns may be judg'd proper to express the joy of the Government & People.

Sir
Your Servant
J. BELCHER.

Boston,
May 16: 1734

To David Dunbar, Esq.
Liut. Gov$^{r}$ of New Hampshire, and
Capt of her Majesty's Fort William & Mary
at New Castle.

[P. 422.] Anno Regni Regis Georgii Secundi Magnæ Britanniæ, Franciæ, et Hiberniæ, &c., Octavo.

A Journal of the House of Representatives of his Majties Province of Newhampshire in New England, began and held at Portsmouth in said Province, October the 8th Anno Dom. 1734.

The Persons return'd according to the King's Writ, to serve in Genll assembly for the several Towns are as followeth, viz.

| | |
|---|---|
| For Portsmouth, | John Rindge, Esq.<br>James Clarkson, Esq.<br>Capt. George Walker. |
| Dover, | Paul Gerrish. Esq.<br>Paul Wentworth, Esq.<br>Capt. Thomas Millet |
| Hampton | Peter Weare, Esq.<br>Mr. John Sanburn<br>Mr. Samuel Palmer. |
| Exeter | Mr. Bartholomew Thing<br>Capt. Peter Gilman |
| New Castle, | Theodore Atkinson, Esq. |
| Rye, | Capt. Richard Jennes |
| Kingston | Mr. Tristam Sanburn. |
| Newingtown | Mr. George Walton |
| Stretham | Andrew Wiggin, Esq. |
| Londonderry | Mr. Robert Boyce |
| Durham | Mr. Samuel Smith |
| Greenland | Capt. Joshua Weeks. |

The Honble George Jaffrey & Jo. Odiorne, Esqs. came from the Board and acquainted the House yt they were authorized by his Excelly to admr the oaths to the members return'd, p'suant to an act of Parliamt which being done they withdrew.

[P. 423.] A Messa from his Excelly Directing the House to make choice of a Speaker. The House proceeded to the choice of a Speaker.

Andrew Wiggin Esq. was chosen Speaker.

A Messa sent by 4 of the members to signifie to his Excllv that the House had made choice of Andrew Wiggin, Esq. for their Speaker. Then the House made choice of James Jeffrey for their Clerk & he was sworn accordingly.

Then the House adjourn'd to the 9th currt

Wednesday October 9th A. D. 1734.

His Excelly not coming to the Council nothing was done this forenoon.

Post Meridiem

A Petition of sundry of the Inhabitants of the north part of Hampton praying That that part of Hampton set off by a Comittee appointed by the Govr & Council in the yeare 1719 may be Ratified (Except what is set off to Rye) was Read & a vote of Council thereon, viz. in Council 8r 9th Voted, That the Selectmen of the Town of Hampton be served with a coppy and be heard next Tuesday.

In the house Read & concurrd, with amendmt, viz. That the Petitioners pay the charges.

Voted—That Capt. John Rindge & Capt. Thomas Millet be a Comittee to wait upon the Treasurer and pray him to lay his accounts before the assm as soon as may be.

Then the House adjourn'd to the 10th currt.

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Thursday October the 10th A. D. 1734.

Voted—That George Walton, Capt. John Rindge & Capt. Thomas Millet be a Comittee of this House to joyne with such as the Honble the Council shall appoint to audit the Treasurs accounts and all other Publick accounts that shall be Bro't into the Genll assm this sessions and also to tell over all such money as is to be Burnt this Sessions and to make their Return to the Genll assembly with as much speed as may be, for allowance. Sent up.

[p. 424.] A Messa that the above vote was concurr'd and that the Board had appointed Joseph Sherburn, Ephraim Dennet & Joshua Pierce Esqs. a Comittee for the same ends.

A Petition of Matthew Bradford for a rehearing of an audit between him & Theo. Wright, voted that Mr. Wright be serv'd with a coppy at Mr. Bradford's charge & that they be heard there on Saturday next, 10 o'clock, A. M.

A Petition of Joseph Chesley & Eliza Hanson praying for a Rehearing of a case before Govr & Council.

Post Meridiem.

A Messa sent to his Excelly that there were three members appeared that wanted to be Qualified, Ephraim Dennet and Joseph Sherburn, Esq. came down and admr the oaths to the three members.

Voted That Peter Weare, Esq. Majr Bart. Thing & Paul Wentworth Esqr & Mr. John Rindge be a Comittee from this House to waitt on his Excelly tomorrow morning to know if his Excelly can make any money (for Repaire of the Fort Wm & Mary) the fund to be Bro't in after 1742.

Then the House adjourn'd to the 11th currt.

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Fryday October the 11th A. D. 1734.

The Comittee that was yesterday appointed to waite on his Excelly made Return of their Messa viz. that his Excelly gave them for answers, that his Instructions would not admit him to Emitt any money to run beyond the yeare 1742.

Post Meridiem

A Messa from his Excelly pr Mr. Secretary viz. That his Excelly Requir'd the attenda of the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excelly made a Speech Mr. Speaker obtained a coppy, and then the House return'd.

The Speech was read as follows, viz.

[p. 425.] *Gent. of the Council & House of Representatives*

Understanding that a number of the members of the House of Representatives had not taken their places till yesterday, has been the reason I have not told you before that I am glad to meet you at this time in Genl Assm. hopeing you are come together full of inclination & resolution to advance the King's Interest and Honr by falling into the best methods of promoting the substantial good of his People in this Province. The difficult situation of the affairs of Europe should make us thofull & attentive how we may most of all contribute to ye Publick safety in case we should be surprised with the alaram of war.

I am much concern'd at the decayed condition in which the onely Fort of the Province lyes and to consider how slenderly it is provided with powder and other stores of War.

The onely Prison also of the Province is in absolute necessity of a speedy Repaire.

That law and justice may obtaine their Effects, I have it, Gen$, in comand from the King to Press your calling in the Publick Bills of Credit agreeable to the several Acts & Laws by which they have been Emitted.

*Gentlemen of the House of Representatives*,

I have so often urged on former Assemblys the necessary supply of the Publick Treasury, That I hope a bare mention of the following things will readily Induce you to make that your first care in this Sessions. It is now going on of four years since there has been any supply made. The Fort & prison as I have observed, demand a present

Repaire and a payment of the Public Debts will show your care to preserve the Credit & Hon$^{r}$ of the Goverm$^{t}$, the moneys due from the Province are in Exact conformity to the Laws, and how hard & severe is it, Gen$^{t}$, that your own Laws should take place upon Private p'sons while the money that should pay their just Debts is withheld from them by the Supreme power. I shall not therefore doubt [p. 426] of your giving the best dispatch to what is so Reasonable and Just.

*Gent. of the Council & House of Representatives*

A diligent application to the affairs of the present Sessions will be an instance of your carefull expense of the Public money and to Endeavour after unanimity in all your proceedings must have the most natural tendency to the Peace and welfare of your country; and you shall find in me a sincere disposition to do every thing in my power for the Prosperity of the Province.

8$^{r}$ 11$^{th}$, 1734. J. Belcher.

Then the House adjourn'd to the 12$^{th}$ curr$^{t}$.

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Saturday October 12$^{th}$ A. D. 1734.

Whereas there is now outstanding & Due to the Province from Sundry p'sons by Bonds the sum of £1730 which money is let out at two & a halfe p' ct. pr annum & in order that the same may bring in a larger Revenue, voted that the Speaker of the House for the time being to whom those Bonds are made payable be directed and desired to put the said Bonds in suit against Each of the said p'sons unless they shall see cause to renew their Bonds by the last day of October Inst. & therein be obliged to pay an annual Interest of six per ct. and any of the said Debtors that shall refuse to renew his Bond (or pay down the Principle & Interest due) then such delinquents Bond to be put in suit and that Capt. George Walker & Capt. John Rindge be a Comittee to joyne with those that shall be appointed by the Hon$^{ble}$ the Council for renewal of the Bonds aforesaid and the Bonds to be renewed to the Speaker of the House for the time being. Sent up.

The same day return'd with a vote thereon viz.

In Council 8$^{r}$ 12, 1734.

Read and nonconcurr'd. It being contrary to his Maj'ties Instructions to his Excell$^{y}$ to postpone any of the Loans.

His Excell$^{y}$ sent Mr. Sherrif Russel with an order for Theodore Atkinson, Esq. to appear at the Board to be sworn [p. 427] in one of his Maj$^{ties}$ Council. Mr. Atkinson went up and was sworn accordingly.

Voted that Mr. Speaker send a Precept to the Town of New Castle to make choice of a Proper p'son to represent them in Gen$^{ll}$ Ass$^{m}$ in the room of Theodore Atkinson, Esq. now removed into the Council.

Post Meridiem

Whereas the additional Act about the £15,000 Loan made and passed May 15$^{th}$ 1729 is represented insufficient to the End proposed for bringing in the money due—Therefore Voted That a new Act be made for bringing in the said money.

Mathew Bradford & Thomas Wrights case heard at the Board & the Petition and vote by the Council thereon sent down and the Parties heard in the House. The vote of the Council Read and the House concurr'd therewith.

Then the House adjourn'd to the 14$^{th}$ curr$^{t}$.

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Monday October 14$^{th}$ 1734.

A full House not appearing the House adjourn'd to the 15$^{th}$ curr$^{t}$.

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Tuesday October the 15$^{th}$ A. D. 1734.

Voted That George Walker and Paul Wentworth, Esqs. be a Comittee of this House to joyne with such as shall be appointed by the hon$^{ble}$ the Councill to draw up a new Act to enable the grand Comittee to get in the remaining Money of the £15,000 Loan that is outstanding by the next Spring Sessions. This and the vote of the 12$^{th}$ curr$^{t}$ sent up.

A Petition by Samuel Graves, an inhabitant of Kingstown Praying Relief against Haverell men their Prosecutions against him about his land near 12 miles north of Merymack was read.

A Petition of John Gove Praying Relief ag$^{st}$ a Deed that his son clandestinely got of him, read and voted to be heard Fryday next, he serving his son with a copy to show cause (if he can) why the said deed should not be vacated.

[p. 428.] Post Meridiem

The north part of the Inhabitants of the Town of Hampton was heard on their Pet$^{n}$. The Council for the Petitioners acknowledged no power in Govern$^{r}$ & Council onely to make a Precinct (or Parish) out of an old Granted Township.

The House having Debated on the arguments, the Question was put, granted or not granted. It passed in the negative, and voted that y^e^ Petition be dismiss'd.

Then the House adjourn'd to the 16^th^ curr^t^.

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Wednesday October 16 A. D. 1734.

John Goves Petition & the vote about the £15,000 loan sent up

Post Meridiem.

Mr. Secretary Bro't down a Petition of John Goffe, Jun^r^ of Londonderry & a vote of Council thereon Read and voted thereon that it be heard the 4^th^ day of the sitting of the next Sessions of the Gen^ll^ Assembly and that he serve the Proprietors of Londonderry with a copy to appeare and shew cause (if they can) why the Prayer of the Petition may not be granted.

A Petition of Joseph Sheffield, Bro't down Praying a Comittee to lay out some old granted Land in Dover, and vote of Council thereon read, & concurr'd the vote of Council.

Then the House adjourn'd to the 17^th^ curr^t^.

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Thursday Oct. 17, A. D. 1734.

The Petition of Joseph Chesley & Elizabeth Hanson bro't down, and the Parties heard thereon, and the vote of the Council thereon read and concurr'd.

Post Meridiem

A Petition of Samuel Hart (as Guardian to the children of Robert Almory, Deceased) Praying power to sell their part of a decayed messuage, &c. was read, and voted that it be heard the third day of the sitting of the next Sessions of the Gen^ll^ Assembly and that he notifie all the parties concern'd to appeare and shew cause &c. and also to bring a coppy of the will.

[p. 429.] Then the House adjourn'd to the 18^th^ curr^t^.

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Fryday, October 18^th^, A. D. 1734.

Voted that Peter Weare, James Clarkson & John Rindge, Esqs. be a Comittee of this House to draw up an Answer to his Excell^ys^ Speech and present it tomorrow morning for acceptance.

Sent up Govs' Petition, Sheffield Petition & Harts Petition.

A Mess[a] from the Board pr. Mr. Atkinson, with Chesley's Petition to reconsider & amend it, viz. That the Cost be paid down, and that the writ of possession be stopt upon reconsidering the same. Voted That the House adhere to their vote.

The treasurer's account for the yeare 1732 was read, and the return of the Auditors thereon, and voted the same to be accepted and the account allowed.

Post Meridiem.

Whereas Mr. John Thomlinson (1) of London, by votes of this House appointing him to be agent for the Province of New Hampshire, who has hitherto done to the satisfaction of this House—Therefore Voted That the thanks of this House be given to the said John Thomlinson for his good services done in the affaires of the Province, and also, That this House still continues him their agent, and prays his further assistance in those affairs he has negotiated and all other affairs Relating to the Province from time to time. And that Mr. Speaker Wiggin and Capt. John Rindge be a Comittee of this House to write to the said John Thomlinson & advise him from time to time as occasion may serve & require.

A Petition of Christian Baker, (2) Praying a Bill for liberty of keeping a House of publick entertainment was read, and the Prayer of the Petition Granted, & that she have liberty to bring in a Bill accordingly.

Then the House adjourned to Saturday, 19th curr[t].

(1) Dr. Belknap says, "Capt. John Thomlinson was a merchant of London, who was well known in New-Hampshire, where he had frequently been, in quality of a sea commander. He was a gentleman of great penetration, industry and address; and having fully entered into the views of Belcher's opponents, prosecuted the affair of the line with ardor and diligence, employing for his solicitor, Ferdinando John Parris, who, being well supplied with money, was indefatigable in his attention." *Farm. Belk.*, p. 229.

The Correspondence of Mr. Thomlinson with Theodore Atkinson, Esq. and other officers of the Government, is of great interest and value. Ed.

(2) Mrs. Christina Baker was a daughter of Capt. Richard Otis, and with her mother was taken captive, in infancy, by the Indians in their attack on Dover, in 1689. For interesting notices of this remarkable woman, see *Farm. Belknap*, pp. 129, 130, and Vol. viii, pp. 405–427, *Coll. N. H. Hist. Soc.* Ed.

Saturday, the 19th of October, A. D. 1734.

Whereas a great number of ill disposed persons assembled themselves together at Exeter in the Province of New Hampshire, on the 23d of April last past about 9 of the clock at night, and then and there [P. 430] in a Riotous, tumultuous & most violent manner came into the House of Capt. Samuel Gilman of said Exeter (who kept a public house in said town) and did then fall upon Beat wound & terribelly abused a number of men hired & imployed by the Honble David Dunbar, Esq. as Surveyor Genl of his Majties woods, as assistants to him in the execution of said office, many of which were beat and so abused that they very narrowly escaped with their lives (as appears by Examinations taken by power of his Majties Justices of the Peace for said Province) all of which is a very great dishonr to this his Majties Province and contrary to all Laws and Humanity, and ought to be detested and abhor'd by all parts of the Legislative Power. In order therefore to the finding out & bringing to condine Punishmt the transgressors & abettors of so vile a piece of disobedience, and in order that so great an odium may not rest upon this Province, and to convince his Majtie that such villainies are abhorred by the Province in genll, Therefore In the House of Representatives voted, That his Excellr the Govr and Council be earnestly desired to order a strict Examination into that affaire that the utmost Justice may be done to his Maj'tie and that the p'sons concern'd therein may no longer Escape the Punishment they have by their actions so justly deserved. (1)

Voted to be sent up.

A vote past for making an Act for the recovery of Debts & bringing actions agst p'sons living out of the Province, that had at no time been an Inhabitant in the Province.

Then the House adjourn'd to Monday next.

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Monday, October the 21st, 1734.

The Committee being out about the accounts and not a full house,

The House adjourn'd to the 22d curr't.

(1) See Letters relative to this riotous affair in the latter part of this volume. Ed.

Tuesday, Oct. 22d A. D. 1734.

Early in the morning before the hour of meeting, Mr. Secretary came with a Messa from his [p. 431] Excely Required the attendance of the House in the Council Chamber. Mr. Speaker being there and but few members he answered the Secretary as soone as a few more members came he would attend. Mr. Secretary came imediately down againe with a Message that his Excely required their imediate attendance. Mr. Speaker and the few members went up. His Excely made a Speech. Mr. Speaker obtained a Coppy which was as follows, viz.

*Gen't of the House of Representatives*,

I have now been waiting on your deliberations the usual time of the sitting of a Genll Assembly of this Province to see whether you would make any supply to the Publick Treasury for the uses I mentioned at the opening of this Sessions, which affaire I understand came in Debate in the House the eighteenth of this Inst. and the Question being put, it passed by a considerable majority to make no supply. This resolution obliges me, in duty to my Royal Master & in tenderness to his People to put an end to the being of this Assembly in the same manner as I did the last, altho' there has been in it a greater number of gentlemen than in the other, who have been well disposed to his Majties service, and to the welfare of this Province, yet others have been once more able to defeat every thing that had a tendency to those good ends by their continued resolution of making no supply, & thereby keeping Fort Wm & Mary naked and defenceless as to its works and stores of war. The Prison also is in a posture liable to continual escapes which happening must be made good by a tax on the People and what is of a piece with these things is your suffering the cry of injustice and oppression thro' out the Province by not paying the debts that have been due now upwards of three years. With what face gentlemen can the officers of Justice put the Laws in execution or why should a goal be the portion of the Private men for not paying his debts, while you whose duty and province it is to raise money for the paymt [p. 432] of those of the Publick (knowing that the sufferers cannot compel you thereto) have openly declared you will not pay even the lawful Debts of the Province, with how much contience, with how much Honr can you justify such proceedings I must submit to better judges than I can pretend to be.

I am also obliged to mention the injustice done by you (and former Assemblys) to the People by adding a new load of Debt of the Province in the sitting of Assemblys from time to time for three or four years past, for no other purpose than to the increase of the public taxes. To prevent my being more particular I would refer you to what I said at the close of the sitting of the last Assembly a great part of it being applicable to yourselves, and Pitty it is but that the good people of this Province should know who are the imediate authors (as snake in the grass) of their present troubles and difficulties, that they may wisely avoid the one at their next Election & always have a just abhor-

rence of the other, and then they will send such to represent them in after Assemblys as being free from sinister views and party designs, will steadily act up to their duty to the king and with hearty concern for the best interest of the People. 8r 22d 1734

J. BELCHER.

Then Mr. Secretary by his Excellys order Declared the General Assembly—DISOLVED.

*Mem°*. The Comittees had not time to finish the Accounts, nor make their return of the Money burnt before the Disolution.

[P. 433.] Anno Regni Regis Georgii Secundi Magnæ Brittanniæ, Franciæ et Hiberniæ &c. Octavo.

A Journal of the House of Representatives of his Majesties Province of New Hampshire in New England, began and held at Portsmouth in said Province the thirtieth day of Aprill Anno Dom[i] 1735.

The Persons return'd according to the Kings Writ to serve in General Assembly, for the several Towns are as followeth, viz.

| | |
|---|---|
| For Portsmouth | John Rindge, Esq.<br>James Clarkson, Esqr.<br>Doctor Nathaniel Rogers |
| Dover | Paul Gerrish, Esq.<br>Paul Wentworth, Esq.<br>Capt. Thomas Millet |
| Hampton | Mr. John Sandburn<br>Capt. Ichabod Roby<br>Mr. Samuel Palmer |
| Exeter | Bartholomew Thing, Esq,<br>Capt. Peter Gilman |
| Kingston | Mr. Ebenezer Stephens |
| New Castle | Joshua Pierce, jun[r], |
| Rye | Capt. Richard Jennes |
| Newington | Mr. George Walton |
| Londonderry | Mr. Robert Boyce |
| Stretham | Andrew Wiggin, Esq. |
| Durham | Capt. Jona. Chesley |
| Greenland | Mr. Thomas Packer. |

Mr. Secretary came into the House and said [P. 434] that the Precepts Returned for the Members of this Assembly he had; and that he and Theodore Atkinson, Esq[r] were authorized to administer the oaths to all the members present (Except Capt. Richard Jennes and Mr. Joshua Pierce, jun[r], against whom there was some complaint at the Board of undue Elections, and therefore they must lye for consideration) Then the oaths were administered to all the other members.

Then Mr. Secretary said he was ordered by his Excell[y] to adjourne the Assem. to May the first 1735, and declared the Assembly adjourn'd accordingly.

Thursday, May the 1st, A. D. 1735.

Mr. Secretary and Theodore Atkinson, Esq. was sent to qualifie those members that did not appear yesterday, excepting Mr. Joshua Pierce, jr. After the members had taken their proper Oaths, &c. they return'd

Eodm Die. A Messa from his Excellv by Theodore Atkinson, Esq. viz. That his Excellv directed the house to make choice of a Speaker, and then return'd.

Some of the members rose up and gave their opinion that the house ought not to proceed to the choice of a Speaker, till all the members return'd & were present, was Quallified according to Law.

Then the Triennial Act was read.

Then the Members that was Quallified, directed the Clerk to put the question, Whether it was not proper to send a Messa to desier his Excellency that Mr. Joshua Pierce may be qualified as a member before the House proceed to the choice of a Speaker—which was done. It was past in the affirmative.

Paul Gerrish, Andrew Wiggin, Esqs. and Capt. Icabod Roby went up with a Messa accordingly.

Eodm Die. Mr. Secretary & Theodore Atkinson Esq. came with a Message to know to whom the last Message was directed to.

They were answered by the members that were Quallified, to his Excellv and the Council, or to that part whose business was to receive it.

[P. 435.] A message pr Mr. Secretary that if the House had any Messa to send to his Excellv It should in writing.

The Members that were Quallified sent a Messa to his Excellv that they insist on their Priviledges and do desier your Excellv to direct that Mr. Joshua Pierce may be Quallified (the House being informed by the Sherif) that he was legally return'd for New Castle, and until that be done, the Members decline to go upon any Business—Sent up not sign'd

P. M. A Messa pr. Mr. Secretary, viz. That his Excellv directed the House *Imediately* to make choice of a Speaker & present him.

Mr. Secretary came with another Messa viz. That there was some mistake about the Messa sent up in the morning—and that the Messa sent his Excellv tooke no notice of being a Blank, and that his Excellv Directed the House to make

choice of a Speaker. A Mess[a] sent to his Excell[y], viz. That they were directed by the House to inform *to inform* his Excell[y], That the House still continues of oppinion, that they can't without giving up their Priviledges go upon any business till all the members present are quallified that are legally return'd and are present.

Mr. Secretary came down and by command of his Excell[y] adjourn'd the Assembly to the 2[d] currant.

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Friday, May the 2[d] A. D. 1735.

Mr. Secretary bro't down a Written Message from his Excell[y] & read it as follows, viz.

*Gen't of the House of Representatives.*

I have considered the Mess[a] you sent me yesterday and have ordered the Sec[y] to read you that clause of the King's Comiss[n] to me which I apprehend gives me the Power of Judging who are duly elected and who are not, to be Representatives in order to my giving directions for administering the Oaths to such as are returned for the several Towns. I am far from having any inclination to invade the least Priviledge of your House, yet it is my Duty to support his Maj[ties] Authority and I hope upon your considering what I now communicate, you will proceed to the choice of your Speaker & give the best dispatch you can to the affairs of this Sessions. May 2, 1735.

J. Belcher.

[p. 436.] Then the Secretary laid the above on the Table and read the Parragraph of his Excell[ys] Comiss[n] referr'd to and carryed it up with him.

The house sent up a Mess[a] to his Excell[y] desiering a Coppy of the Parragraph read in the house. Mr. Secretary bro't down the Paragraph and left it, which was read in the House and is as followeth, viz.

"And we do hereby give and grant unto you full power and authority with the advice and consent of your said Council from time to time & as need require to summon and call Gen[ll] Assemblys of the said Freeholders & Planters within y[or] Government in manner and form according to the usage of our Province of New Hampshire—And our Will & pleasure is that the Persons thereupon duly elected by the Major part of the freeholders of the Respective Counties and places and so return'd shall before their sitting take the Oaths appointed to be taken by the said Act, entitled, An Act for the further security of his Maj[ties] P'son and Goverm[t] and the succession of the Crown in the heirs of the late Princess Sophia being Protestants, and for extinguishing the hopes of the Pretended Prince of Wales and his open and secret abettors, as also make & Subscribe the fore-mentioned Declaration, which Oaths and Declaration you shall comissionate fitt Persons

under our Seale of New hampshire to tender and administer to them, & untill the same be so taken and subscribed, no person shall be capable of sitting tho' elected, and we do hereby declare that the Persons so elected & Quallified shall be called and deemed the Gen$^{ll}$ Assembly of that our said Province and Plantation."

## A Message sent to his Excell$^{y}$, viz.

*May it Please your Excellency,*

The House of Representatives have considered your written Message sent down this day and also the Parragraph in your Excelly$^{s}$ Comiss$^{n}$ therein referred to—and upon the whole can not but continue of the Same opinion in as much as your Excell$^{y}$ is thereby referred to the usage and customs of the Province, which has alwayes been to administer the Oaths to such as are return'd by the Sherrif, and [p. 437] for the House of Representatives to judge of the due or undue Elections of any of the Members upon complaint made to them, and if your Excelly's Comiss$^{n}$ or the Law was silent in this matter, it is no more than Reason itself requirs.

For if the Gover$^{r}$ for the time being hath authority upon pretence of undue Elections to prevent any member from acting in the House, it would be a power in a manner equal to that of choosing the Assembly himself. Upon the whole, we humbly pray your Excell$^{y}$ to reconsider the matter and in as much as you have declared yourself farr from inclining to invade any priviledge of this House, and as the King himself (as far as we can learn) never pretended to examine the due or undue Elections of the Members of Parliament, We hope your Excell$^{y}$ will be of opinion that no such power was design'd to be conveyed to your Excell$^{y}$ by that Paragraph and that you will accordingly order the Representative for New Castle to be qualified, that the House may proceed to business, which they would have done before now, according to your Excelly$^{s}$ direction, if they could have done it without giving up the Rights and priviledges of the People they represent.

Sign'd in the behalfe & by direction of the Rest of the Members.

May 2$^{d}$, 1735. Paul Gerrish.

While the above Mess$^{a}$ was writing, Mr. Secretary came with a Mess$^{a}$ viz. That his Excell$^{y}$ was of opinion that the House might make choice of a Cler. or any Member might signe in behalfe of the Rest. Then the above was sent up.

## Post Meridiem

Mr. Secretary Bro't down a Written Mess$^{a}$ which was read, & to be left if desired. The Members said it might be carried back.

Then Mr. Secretary and Theo. Atkinson, Esq. came and administered the proper oaths to Mr. Joshua Pierce and he took his place accordingly. A message from his Excell$^{y}$ directing the House to make choice of a Speaker.

By balloting Andrew Wiggin, Esq. was chosen Speaker. A Mess$^{a}$ sent to his Excell$^{y}$ by four members to signify to him that [p. 438] Andrew Wiggin, Esq. was chosen Speaker.

Mr. Sec$^{y}$ came with a Mess$^{a}$ viz. That his Excell$^{y}$ required the attendance of the Speaker and the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excell$^{y}$ made a Speech. Mr. Speaker obtain'd a Coppy & then with the House return'd. Then the House made choice of James Jeffry for their Clerk and he was sworn accordingly. The Rules of the House read, voted, accepted. Then the House adjourn'd to May 3$^{d}$ curr$^{t}$.

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Saturday, May 3$^{d}$ A. D. 1735.

His Excell$^{ys}$ Speech was read as follows, viz.

*Gen't of the Council*
*& House of Representatives*

The last accounts by the ships from Great Brittaine leave us still at a great uncertainty with respect to the War & comotions in Europe, and time alone must discover how the present Ruptures may affect his Maj$^{ties}$ Kingdoms at home and his Plantations in America: Yet I think in duty to the King, as well as from a tender regard to this Province I am obliged to say, it will be a point of wisdom in you to repair Fort William and Mary, and to put it into a good posture of defence, and you cannot, Gen$^{t}$, be ignorant of the unsafe and miserable condition of the only Goal in the Province, and how necessary it is that it be speedily repaired.

Some good laws to encourage the Husbandry of the Province, and more especially the giving a handsome Bounty for raising Hemp and Flax would be a likely method for recovering your Commerce from the difficulties it labors with at present & all proper frugality would still add weight to the scale in favor of this Province.

I cannot but observe to you, Gen$^{t}$, as I said once and again to the Assembly of the Mass$^{s}$ Province, on an occasion something like this, of the unwarrantable attempt made here [p. 439] by a set of private Gen$^{t}$ to strike & Issue paper notes or Bills to pass in lieu of money. If the Legislature are restrained by his Maj$^{ties}$ Royal Orders from a Practice of this Nature any otherwise than may be for the necessary charge of the Province, surely private persons ought not to presume upon it.

*Gentlemen of the House of Representatives*

It is now upward of four years since there has been any supply made to the Publick Treasury. When you consider how much the Province is exposed on this Head and how unrighteous and oppressive it is to all persons that have just and long standing demands on the Govern$^{mt}$ I hope you will make it your first care (in this Sessions) to recover the Hon$^{r}$ & justice of the Govern$^{mt}$ by making ample provision for paying the publick Debts and for repairing the Fort and the Prison.

*Gent. of the Council*
*& House of Representatives*

I shall be glad to se[e] you Industriously pursuing the business I have now laid before you, that this Sessions may be short and thereby create the least expence to the good People of the Province.

May 2, 1735. J. BELCHER.

Voted That John Rindge, Esq. Capt. Thomas Millet & Mr. George Walton be a Comittee of this House to joyn with such as the Hon^ble the Council shall appoint to audit the Treas^rs accounts and all other accounts that shall be bro't into the Gen^l Assem. this Sessions, & also to tell over all such Money as is to be Burnt this Sessions and to make their return to the Gen^l Assembly for allowance. Sent up.

A Mess^a from the Board that the above vote was concurr'd & that Jotham Odiorn, Ephraim Dennit & Jo. Sherburn, Esqs. were appointed at the Board for the ends above s^d.

Voted, That Paul Gerrish and John Rindge, Esq^r be a Comittee of this House to draw an Answer to his Excell^ys Speech & present it the House for approbation.

Voted That Mr. Nathan^l Rogers, John Rindge [P. 440.] & James Clarkson, Esqs. be a Comittee of this House, to joyne with such as the Hon^ble Board shall appoint to view the Goale and see what Repairs are necessary and what the Charge may amount to & make report to the Gen^l Assembly next Monday afternoon. Sent up.

A message from the Board That the above vote was concurr'd & that Shad. Walton, Henry Sherburn & Joshua Pierce, Esqs. were appointed at the Board to joyne the Comittee of the House. Then the House adjourn'd to Monday the 5^th curr^t

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Monday May the 5^th A. D. 1735.

The Committee from the Prison made their Return, viz.

We the subscribers being appointed a Comittee to view the Province Goal, & see what repairs were necessary, & to make an Estimate of the charge of our Report thereon, having accordingly had a view of the said Goal, & called in advice & find great deficiency therein, but conclude that twenty five pounds will be sufficient at present to make the prison secure as it has been for some years past (excepting the yard)

Sha Walton,
H. Sherburn,
J. Pierce
J. Clarkson
Nath^l Rogers.

Then the House adjourn'd to the 6^th Curr^t

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Tuesday, May 6^th A. D. 1735.

Voted, That Messrs. Jona. Chesley, Joshua Pierce jun. & John Sanburn be a Comittee of this House to joyn with

such as the Hon^ble the Council shall appoint to goe & Survey Fort Wm. & Mary and see what repairs are now necessary and make return to morrow in the forenoone and what the particular charge may amount to. Sent up.

A Mess^a from the Board the above was concurr'd, and that Shadrach Walton, Jotham Odiorn and Joshua Pierce, Esqs. were appointed at the Board for the ends aforesaid.

Post Meridiem.

Whereas 'tis suggested that the additional Act about the £15,000 Loan Money is defective in [p. 441] that part relating to the issueing extents on the Lands of those persons that have not paid in their Money according to the former Acts—Therefore Voted, That Paul Wentworth, Esq. and Mr. Thomas Packer be a Comittee of this House to joyne with such as shall be appointed above by the Hon^ble the Council to draw up a new Act to enable the Grand Comittee to get in the remainder of the money of that Loan that is outstanding by the next Spring Sessions.

Whereas John Thomlinson of London in Great Brittain, Esq. by sundry votes of this house from time to time has been appointed Agent for this House & for the Province of New Hampshire to appeare as the case may require at the Court of Great Brittaine or before the Lord's Comiss^rs for Trade and Plantations or any other Court or Boards where any matter concerning the House of Representatives or the Province in General may have any thing debated, who has hitherto done to the great satisfaction of this House—Therefore Voted, That the thanks of this House be given the said John Thomlinson for his good service done in the affairs of the Province, and also That the House still desiers him to continue in that station as their agent and prays his further assistance in those affairs he has been negotiating in behalfe of the Province & in all other affairs wherein the Province is or may be concern'd, and that Andrew Wiggin & John Rindge, Esqs. be a Comittee of this House to write and advise him from time to time as occasion may serve or require.

Several Comittees being out the House adjourned to the 7^th curr^t

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Wednesday, May the 7^th A. D. 1735.

The several Comittees being still out the House adjourn'd to the 8^th curr^t

Thursday, May the 8th A. D. 1735.

The Comittee for answering his Excellys speech bro't in their Draught which was read & some amendmts made and read as follows: viz.

[p. 442.] *May it Please your Excellency*

We beg leave to assure your Excelly that this House is met with full inclination to do every thing in their Power that shall tend to the Honr of his Majtie and the Prosperity of his subjects whome we represent. We have given your Excellys Speech its due weight and consideration & are not unsensible of the uncertainty with respect to the War & Comotions in Europe, where tho' at present in a difficult situation, yet we hope will not terminate in a war with Great Brittaine. We are verry sensible of the Ruinous posture and defenceless state of Fort Wm. & Mary as also of the insufficient condition of the Prison, which together with the Treasury we shall take under our imediate consideration & shall endeavour to supply the one and repair the other in such a manner as may be least greivous and Burthensome to our Constituants according to our present circumstances. We are likewise verry ready and willing to come into the making and encouraging a manufactory by giving a Bounty on Hemp and Flax, if we can find a way for raising Money for that purpose, by which we are very sensible the Trade and commerce of this Province wou'd be revived & industry incouraged. As to what your Excelly was pleased to mention in relation to a set of private Gentlemens striking & issuing paper notes or Bills to pass in lieu of money, this House is not sensible wherein such an attempt is unwarrantable unless some notorious Fraude or Cheat might be design'd & discovered therein, inasmuch as we can't apprehend his Majties Royal Instruction to your Excelly upon the head of Province Bills was ever intended to extend to negotiable Notes amongst merchants and Traders, and we are not a little concern'd to see your Excellys Proclamation Publishing an Act of the Province of the Massa against taking those notes prefaced thus—"least Some unwary persons be imposed upon by the said notes or Bills," Your Excelly is pleased to observe that it is full fower years since there has been a supply made to the Publick Treasury, and when we consider how [p. 443] much the Province is exposed, It is with the utmost concern we are obliged to take notice of an expression in your Excellys Speech charging the Representatives of this People with unrighteousness & oppression, when your Excelly can't but remember that the former Assemblys did vote sundry sums of money into the Treasury in order to pay their debts, and the last Assembly was prevented by a suden Disolution, before the accounts of the Province were compleated, and we must needs think that the repeated Disolutions, which seems to compel us to a way of acting contrary to the interest of the People we represent, whatever different sentiments your Excelly may entertain, are very unhappy presidents, and that such a method wou'd be tho't a Grievance not only by the representative body of this People, but by Assemblys of the neighboring Provinces. We assure your Excelly that we shall industriously pursue the Business now before us, as we have nothing more at heart than his Majties Honr & Interest which is inseparable from the Prosperity of the People we

represent. And we resolve to do all in our Power to shew convincing proofs of our sincerity therein.

May 8th 1735. Andrew Wiggin, Speaker.

Post Meridiem.

A Petition of the Inhabitants of the West end of Hampton Falls praying to be sett off a Distinct P'ish was read & voted that the Petitioners serve the Selectmen of the Fall P'ish at their own cost with a coppy thereof & the votes thereon to appe$^{r}$ the third day of the sitting of the next Gen$^{l}$ Assembly to show cause, &c. Then the House adjourned to the 9th curr't.

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Friday May 9th A. D. 1735.

A Petition of Christian Baker praying License to keep a Publick House of entertainm$^{t}$ read and voted the Prayer of the Petition be granted. Sent up with Hampton Falls Petition.

Post Meridiem.

Voted, That the Treasurer demand and receive the Interest due on the £1730 from those Persons from whome the same isnow due, & that the said Interest money be for the paym$^{t}$ of the allowances to be made by the Gen$^{l}$. Assembly & that after the Interest is demanded that the Bonds [p. 444] be put into the hands of the Speaker for the time being and that if any person refuse to pay his Interest on the Bond that then the Speaker is hereby directed to put such Persons Bond in suite as soon as may be, and when recovered the interest to be paid into the Treasury as above and the Principle be bro't into the Assembly & Burnt, & that each Person that has a mind to keep the money longer do renew his Bond to pay 6 pr ct. pr annum from the 25th of Aprill last, the Bonds to run for one year, and if any person will not so renew his Bond at 6 pr ct. pr annum nor pay the principle as aforesaid to the Speaker, that then such Person or Persons Bonds be put in suite by the Speaker aforesaid and when recovered the Principle to be bro't by the Speaker into the assembly and Burnt and the Interest paid into the Treasury as aforesaid.

Mr. Sheffield and the Selectmen of Dover was heard on the said Sheffields Petition prefer'd last sessions & voted a Comittee, &c. as on the Petition.

John Goffe Jun$^{r}$ appeared as ordered on his Petition prefer'd last sessions & ordered to be heard thereon Monday next. Then the House adjourn'd to the 10$^{th}$ curr$^{t}$.

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Saturday May the 10$^{th}$ A. D. 1735.

The Comittee on the Accounts and telling money being out that there was not a full Quorum in the House. The House adjourn'd to Monday the 12$^{th}$ curr$^{t}$.

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Monday May the 12$^{th}$ A. D. 1735.

Mr Secretary came with a Mess$^{a}$ from his Excelly, viz. That his Excelly intends to leave the Province in a little time and pray'd the House would make dispatch. The House sent up a Mess$^{a}$ pr Messrs Clarkson & Parker, who were directed to acquaint his Excelly that the House has waited ever since last Thursday for the accounts to be adjusted, which has entirely clogged the whole Business of the House, and as soone as they are adjusted, the House will immediately proceed to the supply of the Treasury.

Then the House adjourn'd to the 13$^{th}$ curr$^{t}$.

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Tuesday May 13$^{th}$ A. D. 1735.

Mr. Goff was called on his Petition for a hearing and the Proprietors of the Town of Londonderry: but they did not appeare. Mr. Goff [p. 455] made sufficient proof that he had served the Proprietors with a coppy, according to the order of the Gen$^{l}$. Assembly last sessions. The House heard the Party, and considered thereon. Voted the Prayer of the Petition be granted & y$^{t}$ the Petitioner have liberty to bring in a bill accordingly. Mr. Atkinson came with a Mess$^{a}$ from the Board, viz. that the vote of the House of the 9$^{th}$ curr$^{t}$ Relating to the £1730, was non-concurred at the Board.

The Committee for telling over the money made their return. There was Bro't in by the Treasurer of the tax money for the year 1734,

| | |
|---|---|
| | £1016:5: 1 |
| More of the same money | £ 7:4:11 |
| Of said Sherburn old Cyphered Bills | £ 119:3: 6 |
| From Theodore Atkinson, old ciphered Bills | £ 19:4: 6 |

May 10$^{th}$ 1735. We the subscribers being a Comittee chosen to tell over all money to be bro't into the Assembly this sessions to be burnt, we

have told over and Bro't in the several sums as Entred. Witness our hands.

Ep Dennet Tho. Millet
Jo Sherburn John Rindge, Committees.

The above return accepted & voted that the several p'sons are hereby discharged of the several sums as carried off.

A Mess[a] sent to the Board to desier a certificate from the Secretary of the number of days each member of the Council hath sate since X[r] 1730, in order to adjust y[e] accounts.

Mr. George Jaffrey came into the House and inform'd That Mr. Greenleafs time is now Expired for receiving the Excise, & that the Board thinks it advisable that the House make choice of a comittee to let the Excise out, or to appoint a receiver.

Mr. John Goff presented his bill and it was read.

Post Meridiem

Mr. Goff's Bill read a 2[d] time. Read a third time and passed to be enacted.

[P. 446.] Voted—That Joshua Pierce Esq. be Recorder for Province of New Hampshire for the year ensuing, and until the end of the next sessions of the Genl. Assembly after the yeare is ended and that he be allowed and paid for recording Every Deed by the Person that brings it for his attestation thereon three shillings, and the like for giving out copies.

Voted, That Doc[r] Rogers, Capt. John Rindge & James Clarkson, Esq., be a comittee of this House to joyne with the Clerk to Draw up a Bill for supply of the Treasury.

Voted, That £500 be put into the bill for Bounty on Hemp and Flax.

Then the House adjourn'd to the 14[th] curr[t].

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Wednesday May 14[th] A. D. 1735.

Voted—That Paul Gerrish Esq. and Mr. Nathaniel Rogers be a comittee of this House to joyne with such as shall be appointed by the Board to Farm out the Excise to the Highest Bidder for three (3) years taking good security, & to be paid for their trouble out of the Treasury.

Mr. Secretary came with a Mess[a] from his Excelly, viz. That his Excellency prayed the House to dispatch the Business for he had but little time to tarry.

A Mess[a] sent to his Excelly from the House, viz. In answer to your Excellencies Mess[a] pr Mr. Secretary Waldron

for the House to make dispatch of the business, &c. The House is using their utmost diligence in the affairs of the greatest Importance and prayes your Excelly$^{s}$ patience a little time.

Post Meridiem.

Whereas for some yeares past John Thomlinson of London, Esq. has been agent for this House in the affaire of the Boundary Lines, at the court of Great Britain and ought to be encouraged & supported, and hitherto he has acted only by the authority received from this house, And Whereas as most Governments have [p. 447] Agents to appeare for them at the Court of Great Brittaine and this Province generally have had an agent commissionated from hence by the several Govrn$^{s}$ from time to time, And the above said John Thomlinson having hitherto acted with great diligence in the affairs that has been transacted at home, Therefore this House desires the Hon$^{ble}$ the Council to joyne with them in desiring his Excelly to commissionate the said gen$^{t}$. as agent for the province in general.

Voted and sent up for concurrence.

Mr. Secretary came with a Mess$^{a}$ from his Excelly, viz. That his Excelly ordered him to adjourn the assembly to Fryday next, and then declared the Assembly adjourned accordingly.

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Fryday May 16, A. D. 1735.

A Bill bro't in for giving a bounty on Hemp & Flax to take place the first day of April next, was read the first time.

*Province of New Hampshire:* We whose names are here underwritten, being a comittee of audit appointed by the Gen$^{l}$ Court now sitting at Portsmouth in and for the Province aforesaid, Do Report as followeth viz. We have examined & audited the within account of Henry Sherburn, Esq. Treasurer and Receiver Gen$^{ll}$ for the Province aforesaid, both Debt & Credit, as contained in this sheet of paper, and find the same well vouched & right cast, and that there is justly due from the Province of New Hampshire unto the said Henry Sherburn Esq. to ballance the sum of four hundred and eleven pounds, twelve shillings and seven pence. Given under our hand at Portsmouth the 12$^{th}$ day of May 1735.

Jotham Odiorn
Jos. Sherburn
J. Rindge
Tho. Millet
George Walton
Committee.

The Committee for drawing a Bill for supply of the Treasury Bro't in the Bill which was read as follows, viz.

[P. 448.] *Anno Regni Regis Georgii Secundi Octavo.*

An Act for the Supply of the Treasury with the sum of £3381:14:8 in Bills of Credit for discharging the Public Debts of the Province & for other purposes in this Acct hereafter mentioned.

*Be it enacted* By his Excell$^{y}$ the Governor, Council and House of Representatives convened in General Assembly & by the authority of the Same, That there be forth with impressed in Bills of Credit on this province the sum of four thousand pounds, the one quarter part thereof on the small plate, and the other three quarters thereof on the large plate, and that such part thereof as the General Assembly shall order be signed of by a comittee to be appointed by the Gen$^{l}$ Assembly & by them delivered the Treasurer (taking his receipt for the same) to be for such payments & allowances as hereafter in this Act is expressed, and for no other uses, intents & purposes whatsoever, viz. to pay his Excell$^{ys}$ Salary, (exclusive of the Excise)

| | |
|---|---|
| in full to y$^{e}$ 25$^{th}$ Aug$^{t}$ 1735 | £285 : : |
| to the ball$^{a}$ of Mr. Treasurer Sherburn's Account to May 1735 | £411 : 12 : 7 |
| to the Fort officers and soldiers to May, 1735 | £544 : 16 : 10 |
| to the Secretary for four years to 15 April 1735 | £300 : 0 : 0 |
| to the Clerk of the Assembly 4 years to the 19$^{th}$ Nov. 1734, | £ 60 : 0 : 0 |
| to Benjamin Akerman, 4 years as door keeper to the 15$^{th}$ April, 1735 | £ 40 : 0 : 0 |
| to the Sheriff 4 years to May 1735 | £ 60 : 0 : 0 |
| to James Jeffrey for wood supplyed | £ 2 : 7 : 6 |
| to Benjamin Rust, House rent, firing, &c. abating y$^{t}$ supply'd by J. Jeffrey | £ 61 : 12 : 0 |
| to £8 : 3, Ster. Ball$^{a}$ Mr. Agent Newman's Acct. New England Currency is | £ 41 : 15 : 9 |
| to Jeremiah Libbey for repairing the Prison | £ 13 : 14 : 8 |
| to Michael Whidden for do. | £ 4 : 13 : 4 |
| to John Trundy for hauling Planck &c. to the Fort. | £ 1 : 6 : 8 |
| to James Jeffrey Assisting the King's Attorney at Exeter | £ 2 : 0 : 0 |
| to Eleazor Russels acc$^{t}$ for Paper, &c. | £ 3 : 11 : 0 |
| to Joshua Pierce, Esq. for 3 books for records, | £ 13 : 10 : 0 |
| to Mr. Sherif Wibirds Acc$^{t}$ for books for the prison in full of what's demanded | £ 6 : 7 : 6 |
| to repaire the Fort, Carriages, Platform, &c. | £200 : 0 : 0 |
| to do. for the Prison | £30 : 0 : 0 |
| [P. 449.] to the Council for sitting in Ass$^{m}$ from X$^{r}$ 1730, to 13 May 1735, 603 days at 8*s.* | £193 : 19 : 4 |
| for Wolves heads | 150 : 0 : 0 |
| for Expresses | 25 : 0 : 0 |
| for Mr. Agent Thomlinson New England currency | 300 : |
| for the Grand Jury | 100 : |
| for a Bounty one Hemp | 500 |
| | £3381 : 14 : 8 |

And Be it Enacted by the authority aforesaid that no money appropriated to uses aforementioned be drawn out of the Treasury for the

discharge of any other Public Debts upon penalty of the Treasurer's Refunding any such Sum or Sums of money as he shall pay contrary to such appropriation.

And for a fund and security for drawing in the said sum of £3381 : - 14 : 8.

Be it further enacted By the authority aforesaid that there be and hereby is Granted to his Most Excellent Majesty for the ends and uses abovementioned a Tax of £1690 : 17 : 4 to be levied on the Poles & Estates Real & Personal of the Inhabitants of this Province according to such Rates and proportions as shall be agreed upon by this Court at their Spring Sessions in the yeare 1742, and in as much as it will be next to Impossible to collect all the several Bills Emitted on the credit of this Province at that time outstanding without which payment cannot be made

Therefore, Be it Enacted By the authority aforesaid, that the payments aforesaid be made in manner and form following, viz. in Bills of credit of this Province, or any of the neighboring Governments, or in good well dressed Hemp or Flax of the Growth of this Province at the then current price.

And be it further enacted By the authority aforesaid, That each person who payes his rates in any other Province Bills of credit shall pay 5 pr Ct. advance, which with his rates shall be paid into Treasurer for the time being to be [p. 450] by him Exchanged for Bills of credit of this Province.

And Be it further Enacted By the authority aforesaid, That the Treasurer for the time being at the expiration of the time for the last payment is hereby directed to give public notice that any p'son that will bring in bills of credit of this Province to exchange for those of other Provinces, shall be paid by the Treasurer two and a half pr ct. of the 5 pr ct. advance aforesaid, and the other 2½ pr ct. advance shall be allowed the Treasurer for the trouble of Exchanging the said money.

And be it Enacted by the Authority aforesaid, That Hemp and flax of the growth of this Province shall be paid into the Treasury with an advance of 5 per ct. to be allowed the Treasurer for the necessary charges thereon, and that the said Hemp and Flax shall be disposed of by the Treasurer for redeeming the Bills of credit that may be at that time outstanding & when Bro't in to be burnt to ashes in the face of the General Assembly.

The above bill was read a second time.

Post Meridiem.

The Bill for the supply of the Treasury Read a third time and past to be enacted & engros'd, & sent up.

An act for a Bounty on Hemp read the first time.

The same read a second time.

Mr. Secretary Bro't down the Treasury Bill with some Written objections ag$^{t}$ some parts of the Bill

Then the House adjourned to the 17$^{th}$ Curr$^{t}$

Saturday, May 17th A. D. 1735

The Council's objections to the Treasury Bill read as follows: viz. 1) No Provision for his Excellency's Salary to the 25th of August next as pretended in the Bill For ther's an average of Excise in the Farmers hands of £515, and to make up that sum which will be due the Governor the aforesaid 25th August the Council apprehend there must be provided a £1000.

[P. 451.] 2) The Council are of the opinion that the allowance of the Fort officers & soldiers ought to express the sum due to each, to prevent any after dispute on the Dividend.

3) The Secretary's yeare Ends 15th April, not May.

4) The Council don't concur in the paymt of £300 to Mr. Thomlinson.

5) There is no act for giving bounty on hemp, and therefore the Council don't think it proper to grant a Bounty. Some however are ready to come into a Bounty.

6) There's no Provision for a Fund for the intended Emission, for that the Bill says "to be levy'd on the Polls and Estates Real & Personal, according to the Proportions as shall be agreed upon by this Court at their Spring Sessions in the yeare 1741. Now whether there will be a Spring Sessions in 1741, is uncertain, and againe if there should be, who knows that the three parts of the Legislature would certainly agree; if they should not agree, then the bills could not be called in.

7) The Council cannot consent to the calling in of the intended Emission in any but New Hampshire Bills, nor in Hemp nor in Flax, for its vastly uncertaine when foreign Bills or Flax or Hemp will bring them into the Treasury to be burnt, which must be consumed within the yeare.

The Answer of the House of Representatives to the Council's Objections to the Treasury Bill.

1) The £515 due from the Farmer of the Excise, and the £285 in the Treasury Bill maks up his Excelly's Salary in full to the 25th of August next. The Excise being appropriated by the Act of the settlemt of his Excelly's Salary Its out of the Power of this House to appropriate it to any other use, and 'tis not reasonable they should make two Funds for the paymt of any one of the Establishts until there is a Total failure or Insufficiency.

2) It has been usuall for all former Assembly's to make the allowances to the Fort Officers and Soldiers generally £151 : 10 pr annum and for the Treasurer to pay each respectively for the time of service according to the Estab- [P. 452.] lishm$^{t}$ the House not knowing (nor having time to inform themselves) when any officer or soldier has been altered, But say that every officer & soldier be paid according to Establishm$^{t}$ for the time of his service.

3) The article for the Secretaries service is now entered y$^{e}$ 15$^{th}$ of April and the Dore keeper.

4) The House adheres to the article of £300 to Agent Thomlinson.

5) With this goes an Act for a Bounty on Hemp.

6) If there's any doubt of a Spring Sessions &c. and whether the three parts of the Legislature may agree (indeed a thing that lies in supposition may as well not be as be) But instead of the words referred to It may be said to be Levyed on the Poles and Estates &c. according to the last Proportion, for as the Gen$^{l}$ Assembly shall come into any new Proportion by an Act to be made at any sessions between this and the yeare 1742 for before that time the House supposes there must be a new Proportion and most Towns taken in.

7) The House is of opinion that 'tis not possible to get in all the Bills of credit of this Province exactly to the day or time limited and tho' they'le leave out the receiving any other money but New hampshire yet they think Hemp and Flax such staple Commodities that they'l be a good Fund to redeem our Bills there being an allowance made for that Trouble and the House not being willing to oblige their constituants to do that which most think impossible For many of the Bills will be inevitably lost and some in the farthest Governments.

The Act for a Bounty on Hemp read a 3$^{d}$ time & past to be enacted & engross'd. The Treasury Bill with the Answers to the Council objections voted and sent up. The Bill for a Bounty on Hemp sent up.

A Mess$^{a}$ from his Excell$^{y}$ pr Mr. Secretary that his Excell$^{y}$ required the attendance of the House in the Council Chamber. Mr. Speaker and the House went up accordingly. His Excell$^{y}$ made a Speech. Mr. Speaker obtained a Coppy which is as follows—viz.

*Gentlemen;*

[p. 453.] This is now the 7th sessions of a Gen$^{l}$ Assembly of this Province that I have attended in the course of near five years & no supply has been made to the Treasury for the payment of the Publick Debts or for the support of the Governm$^{t}$. How much the proceedings of this and former Assemblys may convince the King of your inclinations to do every thing in your power that shall tend to the hon$^{r}$ of his Majesty and to the prosperity of his subjects whome you represent I submit with great duty and Deference to his Maj$^{ties}$ wisdom.

Had you any concern for justice and righteousness instead of makeing the trifling answer you have done to me on these heads you would have made ample provision for paying all the Debts of the Province; w$^{th}$ w$^{t}$ face can you hold up y$^{r}$ heads before God & y$^{e}$ People while Poor men are hal'd to a goal from their wives and families for want of the money you unjustly withold from them & how much do you act up to the Hon$^{r}$ of his Maj$^{tie}$ & to the safety of his People while the only Fort you have lies in ruins naked of men, Powder and all other stores. Methinks Gen$^{t}$. you should be a Little Roused with the fears of an alarm to War when you consider in how defenceless a state you are by Sea & Land, nor is the only Prison in the Province in any better condition to answer y$^{e}$ Ends of Law & Justice.

I think it not worth while to say any thing more in answer to the mention you made of any former house of Represent$^{s}$ voting Sundry Sums of money into the Treasury than that I have never yet refused my assent to any vote of a House of Representatives that has been concurr'd in his Maj$^{ties}$ Council (excepting a Bill for Emitting £6000, and of which I declar'd to both Houses before their passing it that I could not consent to it as being inconsistant w$^{th}$ y$^{e}$ King's Instruction) but that upon obtaining his Maj$^{ties}$ leave I would gladly do it. I am sorry you have given me occasion to mention againe the unwarrantable Practice of a set of Private p'sons striking and issuing of papers to pass or money. Instead of saying anything to justifie y$^{e}$ chimerical projection I wish you had past a Law upon it in that wise and Laudible man$^{r}$ the Massachusetts Bay have done. [p. 454.] But since you have not I am obliged to let you and all the good People of this Province know how just my fears were when I issued the Proclamation you speak of. In that I have had several complaints made to me since my coming into this Province from some unwary People who have been Impos'd upon by these paper notes that some of the Principle founders or undertakers in the scheme have Refused to give credit to those their own notes by which they must become a dead loss in the hands of those who have parted with their substance for them and this doubtless must discover to the world a notorious fraud (which I hope was not originally design'd) and I would further observe to you gen$^{t}$ on this affaire that I can't see why your House (or the p'sons concern'd) should take a miss that the Massachusetts assembly have not tho't with you in this new scheme, for if there be a real intrinsick value in the notes (as the undertakers ought to believe there is) the act of the Massachusetts can't take it away & then what they have done must be of service to this Province by confineing these notes to a currency or circulation here because I have had constant complaints from the People of this Province how they have been drain'd from time to time of their Bills of credit from the currency they have had in the Mass$^{a}$.

As I would Gen$^{t}$ always be tender of the Priviledges of your House so I shall be carefull to maintaine his Majesties Prerogative in useing the Power he has delegated to me of adjourning proroguing & Disolving of General Assemblies.

And this I shall do from time to time as I shall judge may most of all conduce to the Kings Honour & Interest and to the good of the People. Nor do I see any great Inconveniency in the dissolution of an Assembly since there are but twelve Towns in the Province that send Representatives and of which the most Remote is not a days Journey from the place where you commonly sit and an Assembly according to the Law of the Province can always be conven'd in the space of fifteen days from the date of the King's Writ. But be this as it [p. 455] will as I have at no time invaded the Rights of your house I think it had well become you not to have mentioned any thing to me that carries the face of Bearing upon his Majesties Just Authority. The Assemblies of the Province have at one time & another sat neare Seventy weeks & the supply of the Treasury (an affaire of the first and highest nature) has been neglected & the time spent in matters of Little or no consequence & the good people you Represent loaded with a great charge to no purpose, and as to the assurance you made me at the *opinions?* (1) of this Sessions of Industriously pursuing the Busiiness then before you & of having nothing more at heart than his Majesties Hon$^{r}$ and interest & the prosperity of the People you Represent. You having now sat the usual time of a Sessions of an Assembly and having done nothing more than passing a Bill for a Bounty on Hemp must convince the world that you have in your whole proceedings given proofs of a pretended Sincerity & that you have been Actuated & Deluded by such as have no regards to the Kings Hon$^{r}$ & Interest who have it not in their Power and (if possible) less in their nature to do an act of Goodness or Respect to this People: But are playing mean Low games to accomplish (if they cou'd) their sinister views, while you therefore and the good People you represent suffer yourselves to be Imposed upon from time to time by the notorious falshoods such persons bruit about you cannot practice your duty to God to your King nor to your Country.

I have therefore on consideration of what is now laid before you directed the Secretary to dissolve this Assembly hopeing the Electors in the several Towns will for the future act with their eyes open and be no longer abus'd by designing men who have no complaints to make within the Rules of truth and justice and who have nothing at heart But to gratifie their Ill nature from a disapointment in their private views: I say when the People calmly consider these things I believe they will hereafter send such to Represent them as will [p. 456] honestly pursue the Real Happiness of this Province and People.

May 17$^{th}$ 1735. J. Belcher.

And then Mr. Secretary Declared the Assembly.

Dissolved accordingly.

(1) (Opening). Ed.

*Letter from Wm. Parker, jun. Not. Pub. to Rich'd Waldron, Esq.*

[Copied from MS. Corr. in Sec$^{ys}$ office, Vol. I, p. 89.]

Portsm$^{o}$ N. Hamp$^{r}$

Sir—His Hon$^{r}$ the Lieut. Gov$^{r}$ of the Province of New Hamp$^{r}$ has sent me to you, as Sec$^{y}$ of said Prov. with sundry papers, Letters & Copies of the Minutes of Council, which he says he had from you:—To desire you to stitch them together, & make a Certificate on the whole, that they are true Copies of the Minutes of Council, & the Original Letters which you wrote to the said Lieut. Gov$^{r}$ & affix the Seal of the said Province to the same.

Or, here are true Copies of all the said Papers made by me, as No$^{t}$. Pub. and I am to desire you (w$^{ch}$ I now do) in the name of the said Lieut. Gov$^{r}$ (if you rather chuse it) to compare the said Copies with the Original & Certify as Sec$^{y}$ that they are true Copies & affix the Province Seal thereto. I crave yo$^{r}$ Answer, & am

Sir, yo$^{r}$ humble serv$^{t}$

Jan 16$^{th}$ 1735–6. Wm. Parker, jun.

To the Hon'ble Rich$^{d}$ Waldron, Esq. Not. Pub.

[p. 457.] Aprill 21, 1736.

A new assembly call'd. The persons Returned were

| | |
|---|---|
| For Portsmouth, | J. Rindge, Esq.<br>James Clarkson, Esq.<br>Capt. George Walker. |
| Dover, | Paul Gerrish. Esq.<br>Paul Wentworth, Esq.<br>Capt. Thomas Millet |
| Hampton | Mr. John Sanburn<br>Mr. Samuel Palmer<br>Capt. Ich. Roby. |
| Exeter | Capt. Edw$^{d}$ Hall<br>Capt. Sam$^{l}$ Gillman. |
| Kingston | Capt. Eb$^{r}$ Stephens. |
| New Castle, | Joshua Pierce, Jun. Esq. |
| Rye, | Capt. Richard Jennes |
| Newingtown | Mr. George Walton |
| Londonderry | Capt. Jas. Gregg. |
| Stretham | Andrew Wiggin, Esq. |
| Durham | Mr. Samuel Smith |
| Greenland | Mr. Thos. Packer. (1) |

Mr. Secretary Waldron & Joshua Pierce, Esqs. came down and Qualified the members present by administering the Proper Oaths, &c.

Eod$^{m}$ Die. A message pr Mr. Secretary Waldron that his Excellencie Directed the House to make choice of a Speaker.

By ballotting, Andrew Wiggin, Esq. was chosen Speaker.

A Mess$^{a}$ sent to acquaint his Excellencie by Thomas Packer, James Clarkson Esq. & Capt. George Walker, that the House had made choice of Andrew Wiggin, Esq. for their Speaker. Then the House made [choice] of Mr. James Jeffry for their Clerk & he was sworn accordingly. No other Mess$^{a}$ nor Speech. The House adjourned to the 22$^{d}$ A. M.

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[p. 458.] 1736 Aprill 22 A. M. The House met according to adjournm$^{t}$. P'sent as Entred.

A Mess$^{a}$ pr Jos. Sherburn and Theo. Atkinson Esqs. that his Excell$^{cie}$ Desired the attendance of the House at the

(1) A table denoting attendance of members, a part of the session, is omitted. Paul Gerrish Esq. is marked absent the first 15 days.

Board. Mr. Speaker & the House went up. His Excell. made a speech. Mr. Speaker prayed a copy of it and Return[d] (1)

Eod[m] Die. In the House of Representatives

Voted—That John Rindge Esq. George Walton & Capt Thomas Millet be a Comittee of this House to joyne with such as Hon[ble] the Councill shall appoint to audit the Treasurer's accts. & all other accounts that shall be Bro't into the Gen[l]. Assembly this sessions, and also to tell over all such money as is to be burnt this Sessions and to make Return to the gen[l] ass[m].

James Jeffry Cl[r] ass[m]

Eod[m] Die. Concurr'd above & Jo. Odiorn, Eph. Dennet and Joseph Sherburn appointed by the Board to joyne with the above Committee.

Eod[m] Die: In the house of Representatives

Voted That John Rindge Esq. James Clarkson, Esq, and Capt. Ichabod Roby be a Comittee of this House to answer his Excell[y] Speech and present it to the House for aprobation.

James Jeffry Cl[r] ass[m]

Then the House adjourned for two hours P. M.

Apr. 22[d] 1736 P M The House met according to adjournment.

A Petition of the West part of Londonderry pray a precinct.

A Petition of Rob[t] Boyce in behalf of the Town of Londonderry to answer the above Pet[n] & voted they be heard Wed[y] next.

Then the Clerk was sworn.

In Councill Aprill 22[d] 1736

Upon reading the Petition of Geo. Duncan & others praying for a second parrish in Londonderry & upon Reading the Petition of Robert Boyce in opposition thereto,

[P. 459.] Voted That be a hearing on the said Pet[n] of the said Geo. Duncan & others on Tuesday next at ten of y[e] clock A. M. and that the said Robert Boys & his adherents may be heard to offer their objections to said Duncan's Pet[n] at the said time.

R. Waldron, Sec[y].

Eod[m] Die. In the House &c. Both the above Petit[ns] Read and the above vote of Councill, to which vote the

(1) This Speech not found on record.

House concurr with this amendment, that the Hearing may be on Wednesday next instead of Tuesday.

Jas Jeffry Clr assm

Eodm Die. A Messa pr Mr. Secretary that the amendmt was concurr'd.

Eodm Die. In the House &c. Voted That a Messa be sent from the House to Mr. Treasurer Sherburn to ask him for the Bonds of the 1730 pounds.

The Treasurer came into the House, & Mr. Speaker askt him for the Bonds, he answered he had them and that he'd inform the Councill and give an answer to-morrow morning.

Then the House adjourned to Apr. 23d A. M.

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Fryday Apr. 23d 1736. The House met according to adjournmt. P'sent as entred.

After several Debates the House adjourned to 2 hrs. P M.

Aprill 23 P M. The House met according to adjournment, Mr. Agent Thomlinson's Letters were read in the House and a vote past in the words following.

Whereas John Thomlinson of London in Great Brittaine, Esq. by sundry votes of former Houses of Representatives in this Province has been appointed their Agent from time to time to appear at the Court of Great Brittaine as the case required or before the Lords Comissrs for Trade and Plantations, or any other Court or Board in the affaire of the Dividing Lines between this and the neighboring Province or in any other affaire where the House of Representatives or the Prov. in general has been concerned:

And inasmuch as he has acted not only to the great satisfaction of former Houses, But alsoe of this House,

[P. 460.] Wherefore Voted, That the thanks of this House be given the said John Thomlinson for his good services done in the affair of the Province Lines & alsoe that this House desier him to continue in that station as their Agent, and prays his farther assistance in those affairs he has been negotiating in behalfe of the Province Lines, and in all other affairs wherein this Province is or may be concerned: And that Andrew Wiggin and John Rindge Esqs. be a Committee of this House to write and advise him from time to time as occasion may serve or require in any affair

wherein the Province may be concerned, and that said Committee lay all their Letters & Answers before the House of Representatives from time to time as the Assembly shall sit

April 23, 1736. Voted. James Jeffry Cler. Assm

The Inhabitants of the West End of Hampton was heard, the Selectmen of Hampton Falls being present, & voted there be a Comittee to view, &c

Mr. Treasur. Sherburn being askt by the House for the Bonds of £1730 wch was in his keeping to deliver them to the House, his answer was, that they were put into his hands by the vote of the upper house and he was directed not to deliver them.

After the reading the above Petition & John Meader's Petition and votes entered on them the house adjourned to Sathurday, 24th A. M.

[Then the Journal from which the two leaves are missing is continued.] FAR.

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Saturday Aprill 24th A. D. 1736.

The House met according to adjournmt P'sent as entred.

Meadrs Petin past upon & Liberty to Bring his Bill (1)

In the House of Representatives

Whereas tis suggested that the addl act about the £15000 Loan is defective in that part relating to the issuing Extents on the lands of those persons that has not paid in their money according to the former acts, Therefore Voted that Paul Wentworth Esq. and Mr. Thomas Packer be a Comittee of this House to joyne with such as shall be appointed above by the Honble the Council to draw up a new act to enable the grand Comittee to get in the Remainder of the Money of that [P. 461] Loan that is outstanding by the next Sessions. Sent up.

A message to his Excelly from the House, viz.

*May it Please your Excellency,*

The House being divided into Comittees for adjusting the affairs of the Province & to examine the Treasurers accts. waits only to know the true state of the Treasury, and as soon as we are possest thereof, the House have past to a Resolve to do nothing till provision is made therefor, and are met unanimously disposed & full of Resolution to do every thing in their Power for his Majesties Honr & the Propriety of his good subjects we Represent.

Then the House adjourn'd to Monday the 26th currt.

(1) See original record, p. 288. ED.

Monday Aprill 26th A. D. 1736.

Some Debates in the House. Then the House adjourned to the 27th curr$^{t}$.

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Tuesday Aprill 27th A. D. 1736.

Mr. Treasurer Sherburn Bro't in Tax money for the year 1735 and burnt in the face of the Gen$^{l}$ Ass$^{m}$. £1000: as Trustee for Exchanging the old cyphered Bills & burnt £15:4:1. We the subscribers being appointed a Comittee for telling over and receiving the Tax Money to be Burnt & Cyphered money have received & Bro't in of Tax money £1000, & of Cyphered Money £15:4:1, of Coll Sherburn as Trustee.

Aprill 27th 1736.

| | | |
|---|---|---|
| Jo. Odiorn | Geo. Walton | } Committee. |
| Eph Dennet | J. Rindge | |
| Jos. Sherburn | Thomas Millet. | |

In the House, &c. the within Return was read & accepted and voted that the Treasurer be discharged of the said sum as Treasurer and Trustee.

Then the House adjourned for two Hours P. M.

Post Meridiem.

The House debated on the accounts of Theo. Atkinson, Esq. and voted that the House pass a vote to Indempnifie [P. 462] him in the sale of Hughes Estate on paying the Money he received and Ambler's money into the Treasury

Then the House adjourned to the 28th curr$^{t}$

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Wednesday the 28th Aprill A. D. 1736.

The Treasurer's accounts of April 27th 1736, and May 12th 1735, was read and the auditors Return thereon, & voted the Return accepted & the accounts allowed.

Post Meridiem

Capt. Harts Petition as Guardian to Almery's children was read & voted the prayer of the Petition be granted, he giving surety to the Judge of Probate to be accountable to the Minors & y$^{t}$ he has leave to bring in a Bill. Sent up. And the Treasurer's account sent up.

Londonderry Petitioners heard & voted as on the Petition and sent up.

Then the House adjourn'd to the 29th curr$^{t}$.

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Thursday Aprill the 29th A. D. 1736.

Several Debates about the Treasury Bill & other things.

P. Meridiem

Meaders Bill read three times and past to be Enacted and sent up. Then the House adjourn'd to the 30th curr$^{t}$.

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Fryday, Aprill the 30th, A. D. 1736.

The Comittee appointed to write Mr. Agent Thomlinson laid their letters they sent and the letters they received from him before the House which were Read.

Post Meridiem.

Whereas this House is informed by the Comittee appointed to write our agent in Great Brittaine, relating to the affaire of the lines by letters from him directed to said Comittee, which has been laid before the House: Wherein we are informed that in X$^{r}$ last his Majestie in Council was gratiously pleased to accept the Report made by the Lord's Comiss$^{rs}$ for Trade & Plantations, [P. 463] And that our Agent in a short time expected to obtain a Comiss$^{n}$ appointing & authorising Comiss$^{rs}$ to run and mark out the Boundary line between this his Maj$^{ties}$ Province and that of the Mass$^{a}$ and inasmuch as this affaire will be attended with considerable charge and it will be necessary to have a Comittee to attend the said Comiss$^{rs}$ in the said affaire, Therefore Voted, That Andrew Wiggin, Theodore Atkinson and John Rindge, Esqs. be a Comittee for this House to joyne with such as the Hon$^{ble}$ the Board shall appoint, to waite upon said Comiss$^{rs}$ and attend them in that affaire, and that the Treasurer supply the said Comittee with such money as shall be necessary for that service & that the said Comittee Render an account to the Gen$^{l}$ Assembly of the money so deliver'd them by the Treasurer how Expended for their allowance. Sent up.

A Bill for supply of the Treasury (in the form of that last year) with advance charge & for the Comiss$^{rs}$ if they come, & the Comittee to wait on them £250. Read three times & past to be Enacted & Engrossed & sent up.

Then the House adjourned to May the first, 1736.

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Saturday May the 1st A. D. 1736.

A Mess$^{a}$ came from the Board with the Treasury Bill, viz. That the Council could no wayes concurr with the Bill untill £300 advance sallary was incerted according to a former vote.

The House having considered the Mess[a] that came down with the Treasury Bill, which only refer'd to the first article of paym[t] of his Excellencies advance Sallary, the House sent a Mess[a] to know if ther's any more objections and to have them all at once for redeeming of time, that they may be all argued and concluded upon without going up and down on every article.

[P. 464.] A Mess[a] from the Council with the Treasury Bill with some written proposals for amendment as follows:

Council's Proposals for amendment on the Treasury Bill. 1.) In the first line there is an (i) wanting at the end of the King's name.

2.) The word (therefore) in the 5[th] line to be blotted out.

3.) Instead of $\frac{1}{4}$ part on the Small Plate and the other $\frac{3}{4}$ on the large Plate, it be said the one halfe on a Small Plate, & the other halfe on a large one; & that the denominations on the small Plate be 2s, 4s, 6s, 8s, & on the Great Plate £1:15, £2:5, £3:17, £2:3.

4.) That there be £300 added, in the article of Provision for his Excell[y] sallary to make it agreeable to the order of the Gen[l]. Court, as heretofore settled.

5.) That at the article (A) it be altered & that it be said, to be paid Andrew Wiggin & John Rindge Esqs. to be used by them towards settling the Province lines & they to be accountable to the Gen[l]. Assembly for the same.

6.) That the allowance to the Council be 10s per day.

7.) As to the article of £50 for repairing the Prison, the Council propose the Building a new one, & that Provision be made for the same, & that there be no further Repairs of the old one than are absolutely necessary to hold the Prisoners till the new one shall be Built.

The House adjourn'd to May the 3[d] curr't.

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Monday, May the 3[d] A. D. 1736.

The House debated on the Treasury Bill, and for answers to the Councils Proposals for amendm[t] thereon.

Then the House adjourn'd to May the 4[th] Curr[t]

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Tuesday May the 4[th] A. D. 1736.

The answers to the Councils Proposals made and read as follows, viz. [P. 465.]

1[st].) That the (i) be added.

2[d].) That the word (therefore) be put out, or left in.

3[d].) The House agrees to it.

4[th].) Let this lye for consideration for the last article of the Bill.

5[th].) That it be said, to and for paym[t] of the charges John Thomlinson, Esq. has been at in carrying on the affaire of the Lines at the

Board of Trade and before his Majesty in Council to be paid Andrew Wiggin, Esq. & John Rindge Esq. for that end.

6th.) Let this lye for consideration.

7th.) Let this lye to be considered of until we know how the Province Lines will be settled and then we hope we shall be more able to do it.

## Post Meridiem

The above answers voted to be sent up.

The answer to his Excellᵞ Speech Read & accepted and is as follows, viz.

*May it please your Excellency—*

We the Representatives of his Majᵗⁱᵉˢ Province of New Hampshire now met in Genˡ Assembly having received your Excellyˢ Speech wherein you only in a few words refer us to what you have once & againe mentioned to other Houses assure you that we shall take all these things into our consideration & whilst we looke back upon what has been laid before former Assembly's we cannot forbeare taking notice of what you was pleas'd to offer at the Dissolution of the last, to which we had most of us the Honʳ to belong, as in that Speech of your Excellyˢ a very heavy charge was drawn up against us, which we think ourselves innocent of, were we wholly silent we might well be tho't destitute of the first Principles of Nature, and be guilty of such a neglect of ourselves as would be culpable in [p. 466] the sight of God and man.

One thing your Excellᵞ there accuses us of, is the being void of justice and Righteousness, and having no concern at all for it, an odious imputation we confess, and what we trust we shall always abhor. But how we can be tho't to fall under it is very surprising to us, when to say nothing of what was done by former Assembly's (which we think if set in a true light wou'd be sufficient for their defence) We then voted an ample supply of the Treasury & made provision for the payment of all the just debts of the Province within our knowledge. Indeed it was delayed for some time, But for no other reason but for feare of laying oppressive Burdens upon the People, and in hopes of being relieved from the limitation we were under by the Royal Instruction to your Excellᵞ as to the time of paying in our Publick Bills, and that yᵉ Period fixed to that purpose might be prolonged. But being disappointed in our Expectations, We at last broke through all difficulties to comply with your Excellᵞ in making provision for the supply of the Treasury, in which supply Bill there was a small matter voted, viz. £300 of this currency to a Genᵗ we had made use of at home as an agent in settling the Boundaryes between this and the neighboring governmᵗ. Your Excellᵞ very well knows that we have always looked upon this as a thing of considerable consequence to us. And that we have tho't ourselves great sufferers by its being so long delayed, and your Excellᵞ may remember that we have done every thing in our Power to have that Business accomplished among ourselves. And when dispairing of having that affaire determined any other way we applyed to his Majᵗⁱᵉ in order to do it, and Imployed a Genᵗ to assist us in the Business, of whose inclinations & capacity to serve us we are verry well assured, and who has accordingly been at considerable cost and paines in [p. 467] order to do it, & we have reason to think

has brought the matter to a Conclusion. We cannot but look upon this charge he has been at among the Publick Debts that ought to be defrayed. And if your Excell$^{y}$ and his Maj$^{tics}$ Council Rather than consent to the paym$^{t}$ of this, will not allow the other Debts to be discharged, we cannot think it possible for us for the future to heare you Expressing any pitty for those that are sufferers for want of what is due to them from the Publick. As to your Excell$^{ys}$ solemn expostulation how we shall be able to hold up our heads before God and the people, we shall only say, that as to the People, we shall always be able to hold up our heads before them, as long as we never betray their Trust, and very well know that it's the opinion of the generality of them, as well as of our own that we are pursuing their true Interests. And as to your Excell$^{ys}$ knowing how we shall hold up our heads before God, we must pray your Excell$^{y}$ to waite till that time, when you and we shall appear before him without distinction, and when our talking never so much of God and religion without something answerable to it will turn to no account to us.

To pass by a great many Reflections which we think undeservedly cast upon us in the Body of that Speech, your Excell$^{y}$ is pleased to close it with a Charge of being actuated and deluded by those that are playing mean and low Games & have it not in their Power (and if possible) less in their nature to do an Act of Goodness & Respect to this People.

To which we say, that in what we have done, we have pursued our own sentiments; that we know of none that have sought to mislead us. That had any attempted it, It would have been to no purpose. That whoever your Excell$^{y}$ may aime at we think it pitty but that so severe an aspersion upon them and us had been spared. Did your Excellency receive no more influence and impression from such as you describe (than those against whome [p. 468] you Lay so heavy a charge) we doubt not but that there might have been a better agreem$^{t}$ between your Excell$^{y}$ & his Maj$^{tics}$ good subjects of this Province, who have always been Remarkable for paying a due deference to their Respective Governors, and for doing every thing they could reasonably expect or desier of them. And now whatever may be insinuated to our disadvantage, and after all the prejudices that may have been conceived against us, we assure your Excell$^{y}$ we are come together with a disposition to do every thing (if any remains that have not been done by former Assemblys that was in their power to do) for the Hon$^{r}$ of his Maj$^{tie}$ and for the true Interest of the People we Represent.

That we no sooner made a reply to what was laid before us at the opening of the Sessions was because the House was divided into Comittees and had passed into a Resolve agreeable to a Mess$^{a}$ sent up to your Excell$^{y}$ the 24$^{th}$ Aprill last, they would do nothing till they had made provision for the supply of the Treasury.

Andrew Wiggin, Speak$^{r}$

May the 4$^{th}$ Read and voted to be sent up with the Treasury Bill.

Then the House adjourned to the 5$^{th}$ curr$^{t}$.

Wednesday, May 5th A. D. 1736.

A Messa from his Excellv pr Mr. Secretary, viz. That by his Excellys order the assembly was adjourned to Saturday next.

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Saturday, May the 8th A. D. 1736.

Province of New hampshire: In the House of Representatives:

Whereas the House of Representatives for this Province hath from time to time for sundry years past, authorized and imployed John Thomlinson Esq. as their agent at the Court of Great Brittaine, to sollicit and use his utmost Endeavor to obtaine a settlemt of the Boundary Lines Between this His Majesties Province, and the Province of the Massa Bay, which we are [p. 469] informed he is in a fair way to effect, and inasmuch as the said Assm could never obtaine a concurrence at the Council Board on any of their votes, for raising or paying any small sum of money towards the defraying the charge the said Thomlinson has been at in that affaire, and to enable him to proceed further therein, By reason as we conceive of the great and undue influence his Excellency hath over a Majority of the Council, most of whom have been Imployed & put into posts of Profit & Honr by his Excellency; Wherefore, voted the same to be a grievance, and that Andrew Wiggin, John Rindge, James Clarkson & Ebenezer Stephens, Esqs. Capt. Edward Hall, Capt. Ichabod Roby & Mr. Samuel Smith, be a Comittee of this House in the Recess of the Assembly, and in case there be a Dissolution, to address his Majestie in this and such other affairs as may be necessary, to set the state of the Province in a true light before his Majtie and that they transmit also all such votes and Papers of this House as they think necessary to the Right Honble the Lords Comissrs for Trade and plantations, humbly praying their good offices in Redressing the grievances That his Majties Governmt labors under.

May 8th 1736. Past in the House unanimously.

A Messa from the Council pr Mr. Secretary, viz. That the Council was doing something on the Treasury Bill and prayed the House to wait a little.

A Messa from the Council, viz. In Council May 8th 1736. The Supply Bill hereunto annexed being sundry times

deliberately read at the Board, the Council concur therewith with the following amendments, viz.

1) That the word (therefore) in the 5th line be obliterated.

2d That there be an addition of £300 to the articles of Provision for the Governrs Sallary, to be paid him the 25th of August next, when it shall become due according to Act of this Court.

[P. 470.] 3d That there be an amendmt of the Bill at Article (A) as follows, viz. to be paid Jotham Odiorn & Ephraim Dennit, Esqs. & Andrew Wiggin & John Rindge Esqs as a Comittee of this Court to be imployed by them for and towards the carrying on the affaire of the Lines, they rendering an account thereof to the Genl Court.

Memo. There was Bro't in and Burnt by Coll. Henry Sherburn as Trustee for exchanging the old Cyphered Bills, the sume of £20 : 5 : 9.

A Messa from the Board to know if the House would pass upon the Treasury Bill. The House debated on the Messa and sent up a Messa that the House desier'd to consider thereof till Monday.

A Messa from his Excelly viz. That his Excelly desiered the House to meet on Monday early for that he intended for his other Goverment.

Then the House adjourned to May 10th 1736.

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Monday, May 10th A. D. 1736.

The Council's amendments Read: The House voted they adhered to their Bill, and sent it up againe.

Then the House adjourn'd to the 11th currt.

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Tuesday, May 11th A. D. 1736.

No Council being satt in the Council Chamber, at 5 o'clock P. M.

The House adjourn'd to the 12th currt.

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Wednesday, May 12th A. D. 1736.

Mr. Secretary & Joshua Pierce Esqs came down, Mr. Secretary said he had a Messa from the Council which he read as follows, viz.

*Gen't of the House of Representatives*

We could hardly think it consistent with [p. 471] the Trust reposed in us by his Majesty to joyn with you in any acts of Goverm^t^ after your unparaleled and unpresidented answer (so full of first Principles of Nature and void of those of Grace) to his Excellency^s^ Speech had been read at the Board. But breaking through the difficulty we have tho't proper to make some concessions, which we trust will evince to the world, to whom the odious imputation of Injustice and unrighteousness (which you say you abhor) does belong. Had the guilt as well as the imputation been abhorr'd, It is likely our Public affairs had not been in their present unhappy situation. There has been no supply in the Treasury for five years past, and as there is now due from the Province between four and five thousand pounds by your own computation & settlem^t^ and no Provision made for the paym^t^ Now where the fault lies is the Question and that must be on you or us, His Excellency having nothing to do with the affaire till the two Houses are agreed. For the three first years of the five, the cry of the Representatives was the Extreme Poverty of the People, their disability to pay their debts (when the sum amounted not to a thousand pounds) and the inhumanity of filling the goal with poor prisoners, these were the compassionate groans of former Assemblys (to which some if not the most of you had the Hon^r^ to belong) and thus were the honest Creditors sigh'd & sob'd out of their just dues for some years. When these melancholy storys of Poverty and prisons were worn thredbare 'twas then Briskly reported that there was advice from Whitehall that the next ship would certainly bring an order for Emitting £40,000 & Extending the funds beyond 1742, & the next Post, and then the next Carrier would certainly bring it, & the application of this piece of Whitehall intelligence was, what pitty it would be to Tax the People or to make a new Emission to be repay'd within the year 1742, when so fine an order was so near at hand. But tho' the said next ships long since arriv'd and the [p. 472] said next Post and next Carrier long since came to Town, it seems the order is yet behind, agreeable to which are your own words (speaking of the supply of the Treasury) viz. "Indeed it was delay'd for some time but "for no other reason but for feare of laying oppressive burdens upon "the people and in hopes of being relieved from the limitation we "were under by the Royal Instruction to your Excell^y^, as to the time "of paying our Publick Debts, and that the period fixed to that pur-"pose might be prolonged," and then you go on ingeniously to own what is the cause there is no Provision for the payment of the debts, for speaking of the Treasury Bill you say "In which supply Bill was a small matter voted £300 of this Currency to a Gen^t^ we perceive has not been well accepted." Now after the solemn crys of Poverty, Prison & oppressive burthens for you to endeavour to enhance those oppressive burthens, & subject your principles to a greater danger of the Goal than when Prison was the cry, and at the same time to boast of not betraying the Peoples trust is to us irreconcileable.

You have observed Right that the Gen^t^ to whom you have voted £300 is not well accepted (& well you might perceive it) who has lately signed a Petition to his Maj^tie^ in behalf of a person here Proposing to have this Province under a separate Goverm^t^ from that of

the Massachusetts, which we Esteem a most pernicious Essay tending to the Ruine and destruction of the Province, and moreover in the said Petition are suggested sundry things, which we know are not true, and besides the attempt made by that Gen$^{t}$ against the interest of this Province, in the aforementioned Petition, we have great Reason to believe he has been busy too in getting one of our Laws repealed, Either of which we think sufficient Effectually to disqualifie him from being an agent for this Province and consequently from having any Remittance from us. Besides all this [p. 473] in the yeare 1731, the then House of Representatives (to which some if not most of you had the honor to belong) Desierd the Council to joyne with them in Chusing an agent to get the Line settled, and for the Council's Encouragement therein Represented to the Board that there were a certain number of Gen$^{t}$ who would subscribe considerable sums out of their own private purses for carrying on the affaire, upon which the Council made a Message to the House in the following words: "The Council desier to be informed who the Persons are that are so bountifully dispos'd, what sums they will advance, and when it will be paid, and whether the House has yet gotten any security for the same." To which the House reply'd: "In case the Council should see meet to Joyne with the House in those affairs, we should readily convince them that we had the offer of a private subscription to the value of two or three hundred pounds sterling, from the members of this House from whome this House desires no other security than their own Bill payable to some suitable person in Great Brittaine." How then can you Insist upon the security of an act now, for money to carry on that affaire so contrary to the declaration of that House: and besides has'nt the undertaker in that affaire solemnly declared in the House of Representatives once and againe that he would demand nothing of the Province towards the settlem$^{t}$ of the Lines till the business should be accomplished & that then he would rely on the generosity of the Province; why will you then burthen the Poore People with sums that are neither due nor so much as askt for, & why won't you let the generous Gen$^{t}$ that subscribed to carry on that affaire have the honor of accomplishing it at their own cost, and if they should desier a Reimbursm$^{t}$, let the Gen$^{l}$ Court take it under consideration when the work is done. [p. 474.] However, notwithstanding all these things, We have consented to the Treasury Bill with an amendm$^{t}$, by which you might have had the sum you desier'd & disposed of it as you should see meet, tho' we could not joyne with you to own an agent when we had none.

May 12$^{th}$ 1736. Voted in Council & ordered to be sent to the House of Representatives.

Rich$^{d}$ Waldron, Secy.

Then Mr. Secretary Read a Mess$^{a}$ from his Excell$^{y}$ in the words following.

*Gentlemen of the House of Representatives—*

Your indecent answer to what I said at the opening of this Sessions is such an Insult on the King in the Person of his Governor, whom he is Pleased to call the Representative of his Royal Person, and your unreasonable Refusal to supply the Treasury (notwithstanding the con-

cessions made of his Majties Council) make it inconsistent with his Majesties Honour as well as with the Interest and safety of his People of this Province, that I suffer you to stand any longer as members of a generall assembly.

I have therefore ordered the Secretary to declare my Pleasure to you that this Assembly be Dissolved. J. Belcher.

May 12th 1736.

Then Mr. Secretary according to his Excellency's order and Pleasure,

Declared the Assembly to be Dissolved.

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Burning of the Secretary's Office–1736.

[Copied from Coll. N. H. Hist. Soc., Vol. V., p. 22.]

*Letter from Hon. Richard Waldron, Secretary of the Province of New Hampshire, to Governor Jonathan Belcher, at Boston.*

Portsmouth, May 21, 1736.

*May it please your Excellency.*

I am obliged to beg pen, ink and paper to tell your Excellency I received your favor by the Post, and how heavey the hand of heaven lyes upon me. A Tuesday between 8 and 9 o'clock in the morn, a spark of fire from my kitchen chimney (as I suppose) kindled a flame in the roof of my house, which in forty minutes laid it in ashes (the wind being very high. I esteem the burning of my cottage no great loss ; but what was consumed within it makes a deep hole in my little fortune, which I never expect to see mended. All my clothes and linen, with my wife's geer and appurtenances, are laid in the dust. We had only time and presence of mind enough to save our lumbering stuff, such as tables and chairs. We are almost reduced to the same degree of nakedness as when we came into the world ; and to aggravate my sorrows, my poor wife is almost inconsolable. But I desire forever to remember with great thankfulness the mercy I have experienced in the visitation—namely, that no life was lost, and that my flight was not in the night. I hope the Infinite God intends me good from the repeated strokes of his irresistible arm, and that they will be productive of the peaceable fruits of righteousness.

*Most of my books and papers are lost, and what of the public records and files are saved, I cannot say as yet, but believe hardly any of them, I had begun to copy for Whitehall, but copies and originals are both consumed.*

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[From the Boston Weekly News-Letter, No. 1683, May 20th to May 27, 1736.]

Portsmouth, May 21, 1736.

Last Wednesday morning, about 8 o'clock, a violent fire broke out at the top of the roof of the Hon. Sec'y Waldron's dwelling-house, situated on the plain, within a mile of this town. The wind being high,

and but little help near at hand, 'twas consumed to ashes in three quarters of an hour. 'Tis judged the cause was from a spark falling out of a lintan chimney (which was lower than the house) among the shingles, and kindled. The fire was so furious and quick that nothing could be saved out of the upper rooms. The whole family (through mercy) was saved. The flames consumed all their apparel, &c. excepting what's on their backs. Seven feather beds were saved, with *most of the books, papers and plate.*"

[P. 475.] Anno Regni Regis Georgii Secundi Magnæ Brittanniæ, Franciæ et Hiberniæ &c. Decimo.

A Journal of the House of Representatives of his Majesties Province of New Hampshire in New England, began and held at Portsmouth in said Province, March the 8th Anno Domi 1736–7.

The Persons return'd according to the Kings Writ to serve in General Assembly, for the several Towns are as followeth, viz.

| | |
|---|---|
| For Portsmouth | John Rindge, Esq.<br>James Clarkson, Esq.<br>Capt. George Walker. |
| Dover | Paul Gerrish, Esq.<br>Paul Wentworth, Esq.<br>Capt. Thomas Millet |
| Hampton | Nathniel Weare, Esq.<br>Capt. John Smith<br>Mr. Samuel Palmer |
| Exeter | Capt. Peter Gilman<br>Mr. Nathaniel Gillman |
| Kingston | Mr. Tristram Sandburn |
| New Castle | Mr. Jotham Odiorn |
| Rye | Capt. Richard Jennes |
| Newington | Mr. George Walton |
| Londonderry | Mr. Robert Boyce |
| Stretham | Andrew Wiggin, Esq. |
| Durham | Mr. Samuel Smith |
| Greenland | Mr. Thomas Packer. |

The Honble Joshua Pierce, Esq. and Mr. Secretary [P.476] came from the Board and acquainted the House that they were authorized by his Excellency to administer the oaths, &c. to the members return'd, pursuant to an act of Parliament; which being done they withdrew.

A Messa from his Excellv pr Mr. Secretary viz. That he was ordered by his Excellency to adjourn the Assembly till tomorrow 10 of the Clock before noon, & then Declared the Assembly adjourned accordingly.

Wednesday March the 9th A. D. 1736–7.

A Message from his Excellᵞ pr Mr. Secretary viz. That by him his Excellᵞ Directed the House to make choice of a Speaker & present him to day.

The house proceeded to the choice of a Speaker.

Andrew Wiggin, Esq. was chosen Speaker.

A Messᵃ sent from the House to his Excellᵞ to acquaint him the House had made choice of their Speaker, and that Andrew Wiggin, Esq. was chosen.

Then the House made choice of James Jeffry for their Clerk & he was sworn accordingly.

A Messᵃ from his Excellency, viz. That he Required the attendance of Mr. Speaker and the House in the Council Chamber. Mr. Speaker & the House went up accordingly.

His Excellᵞ made a Speech. Mr. Speaker obtained a Coppy & then with the House Return'd.

His Excellᵞˢ Speech was read in the House and is as followeth, viz:

*Gentlemen of the Council & House of Representatives*

My duty to the King and the just regard I have to his good subjects of this Province, have Bro't me hither in this difficult season to meet you in Genˡ Assmbly. You are not ignorant that [it] is now more than six years since there has been any supply of money to the Treasury, [p. 477] which is a great severity on all those that have any just demands upon the Province.

This matter therefore most reasonably demands your first and Principle care. On my part I shall be ready to fall in with every thing you may lay before me for the Publick welfare, and I wish Genᵗ there may be no contentions this Sessions among the several Branches of the Legislature, unless it be, which part shall most of all promote the Honʳ of his Majᵗⁱᵉˢ Goverment, and the best Prosperity of his People under their care.

Portsmouth, March the 9th 1736–7 J. Belcher.

Post Meridiem

Voted That Nathaniel Weare, James Clarkson and Paul Gerrish Esq. be a Committee of this House to draw up an answer to his Excellᵞˢ Speech & present it to the House for approbation, in as little time as conveniently may be.

Voted, That Capt. Thomas Millet, Mr. George Walton & John Rindge, Esq. be a Comittee of this House to Joyne with such as the Honᵇˡᵉ the Council shall appoint to audit all accounts Relating to the Province, and also to tell over all such money as is to be Burnt this Sessions, and that they make their Return to the Genˡ Assembly as soon as they can.

A Petition of Londonderry Praying a Precept might be sent for an Assembly man, was read, and granted, and ordered a precept be sent and to be Return'd Monday next.

The House Debated about a vote for £300 to Exchange the old money. Then the House adjourn'd to the 10th Currt.

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Thursday March 10th A. D. 1736–7.

The Committee for answering his Excellys Speech Bro't in their Drat which was Read as follows viz.

*May it please your Excellency*

[p. 478.] We return our hearty thanks to your Excelly for the Regard you are Pleased to express for his Majties good subjects in this Province, & as we are very well assured we live under the best of Kings who delights in nothing more than in the Prosperity of his subjects.

We assure your Excellency, that we have nothing more at heart than to do every thing that in us lyes to promote his Majties Honr and the good of the People we Represent. To this End as soone as we can know the state of the Treasury and to what the Debts of the Province amounts we shall take care to make Provision for paymt of the same, & do what we can considering the present situation of the affairs of this Province, yt none that have any just demands upon it may have cause to complain of any severity wch may be possible for us to prevent: And for this Branch of the Legislature it is our unfeigned purpose & Resolution to move nothing that may justly cause any controversy nor to leave any thing undone that falls under our care that may conduce to our Peace and Prosperity.

March 10th, 1736–[7] Andrew Wiggin, Speakr

Voted, accepted and sent up.

A Messa from the Board that the vote appointing a Comittee of audit &c. was concurr'd, and that Geo. Jaffry, Eph. Dennet & Elis Huske was appointed at the Board to joyne the Comittee of the House.

Then the House adjourn'd to the 11th currt.

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Fryday March 11th A. D. 1736–7.

Whereas there is in the hands of several p'sons the sume of £1730 due to the Province of New Hampshire by their several Bonds (which Bonds are lodged in the Treasurer's hands) and all the Interest on said Bonds (except Col. George Vaughan's) is paid to the 25th of Apl 1729, from [p. 479] which time to the 25th of April 1737, being eight years the Interest then due on the said bonds (excepting

said Vaughan's) will amount to the sume of £306, & the Interest on said Vaughans bond being to the 15 June 1737, is £102 : 10, And Whereas the said Bonds are made payable to the Speaker of the House of Representatives for the Province of New Hampshire for the time being, for the use of said Province, and since those p'sons that have had that money are so Backward in paying Either Principle or Interest, Wherefore Voted, That all those p'sons that has had that money do forthwith pay in the Principle and Interest to the Treasurer of the Province of New Hampshire for the time being, and all such p'sons as refuse paym$^{t}$ by the 15$^{th}$ of July next, That such p'sons Bond be put in suite against them, by the Treasurer of the Province for the time being, and that a special act be drawn up to Impower such Treasurer to sue for and recover the same, & when recovered the Principle to be Brought into the Gen$^{l}$ Assembly at their next sitting and Burnt, and that the Interest lye in the Treasury for the use of the Province as the Gen$^{l}$ Assembly shall order.

Post Meridiem

The Comittee for telling over the Money to be Burnt bro't in Tax money for the year 1736, £928 : 19 : 6. Tax money for the yeare 1735, £34 : 15 : 2. from Mr. Treasurer Sherburn and from Theo. Atkinson, Esq. of old Cypher'd Bills £30 : 10.

Then the House adjourn'd to the 12$^{th}$ curr$^{t}$.

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Saturday March the 12$^{th}$ A. D. 1736–7.

Capt. Harts former Petition & votes thereon Read, & voted the Prayer of the Petition be granted & he has leave to Bring in a Billl.

Then the House adjourned to the 14$^{th}$ curr$^{t}$.

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[p. 480.] Monday March the 14$^{th}$ A. D. 1736–

Voted That Nath$^{l}$ Weare Esq. and Capt. Peter Gilman be a Comittee of this House to joyne with such as the Hon$^{ble}$ the Council shall appoint to view the Prison & see what repairs is now needfull to make it good for 6 or 7 years & to make their Return as soone as possible, what sum may be necessary to do the same.

A Mess[a] from the Board the above vote concurr'd & that Jos. Sherburne & Theo. Atkinson appoint[d] above.

Voted—That Paul Gerrish & Paul Wentworth, Esqs. be a comittee of this House to joyne with such as the Hou[ble] Council shall appoint to go down to Fort Wm & Mary and view what is of necessity to be done for the Repairs thereof and make their Return of Particulars as soon as possible, and what sum may be necessary to do the same.

A Mess[a] from the Board the above concurr'd & that Geo. Jaffrey & Shad[a] Walton appointed above.

Then the House adjourned to the 15[th] curr[t].

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Tuesday March 15[th] A. D. 1736–

The Treasurer's accounts accepted and past.

Post Meridiem.

Voted—That Joshua Pierce Esq. be Recorder of Deeds for this Province of New Hampshire for the yeare Ensuing, and untill the End of the next Sessions of Gen[ll] Assembly after the yeare is up; and that he be paid for Recording Every deed, by the p'son that brings it, two shillings & six pence, & for his attestation thereon six pence, and the like for giving out copys and and no more.

Then the House adjourned to the 16[th] curr[t].

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Wednesday March the 16[th] A. D. 1736–

Mr. Rindge Bro't into the House as a Comittee about the agency of the Lines, the Report [p. 481] from the Comittee of Council to the Board of Trade, Mr. Thomlinson's Letter of 9[r] last, Mr. Thomlinson's Petition to the Lords of Trade and Plantations, & the case before his Maj[tie] in Council: all Lodged with the Clerk of the House.

Whereas John Thomlinson of London in Great Brittain, Esq. by sundry votes of this House from time to time has been appointed agent for this House & for the Province of New Hampshire, to appeare as the case may Require at the Court of Great Brittain or before the Lords Comiss[rs] for Trade & Plantations, or any other Courts or Boards where any matter concerning the House of Representatives or the Province in Gen[ll] may have any thing debated, who has hitherto done to the great satisfaction of this House, There-

fore voted, That the thanks of this House be given the said John Thomlinson for his good services done in the affairs of the Province and also that the House still desires him to continue in that station as their agent and prayes his further assistance in those affairs he has been negotiating in behalf of the Province, and in all other affairs wherein the Province in Gen$^{ll}$. or the House of Representatives is or may any ways be concern'd; and that Andrew Wiggin & John Rindge, Esqs. be a Comittee of this House to write and advise him from time to time as occasion may serve or Require.

James Jeffrey Cle$^{r}$ ass$^{m}$

Voted—That Theodore Atkinson be allowed and paid 2½ pr ct. for all the Province money that he now brings into the assembly for the paym$^{t}$ of money he had to Exchange the old cypher'd Bills.

Post Meridiem

The question was put for 500£ to be put into the Treasury Bill for the agent on the affaire of the Lines. It past in the affirmative, 10 yeas, 6 Nayes, & one for 300£ [p.482] and one for £400; to be put into the hands of Trustees till the accounts come.

Then the House adjourned to the 17$^{th}$ curr$^{t}$.

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Thursday March 17$^{th}$ A. D. 1736–

The Treasury Bill brot in and read the first time.

Post Meridiem.

The Treasury Bill read a second time. Then same read a third time & past to be Enacted and Engrost & Sent up.

Then the House adjourn'd to the 18$^{th}$ curr$^{t}$.

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Fryday March the 18$^{th}$ A. D. 1736–

Voted That there be a Tax of 600£ laid on the Poles & Estates of the Inhabitants of this Province for the yeare 1737: to be paid into the Treasury by the last day of December next, in this Province Bills of Credit, & that the Treasurer issue out his Warrants accordingly agreeable to the last Proportion the same to be drawn out of the Treasury as the gen$^{l}$ Assembly shall order, and that Nathan$^{l}$ Weare & Paul Wentworth, Esqs. be a Comittee of this House to joyne with such as the Hon$^{ble}$ the Council shall appoint, to draw up an act accordingly.

A Mess[a] from his Excell[y] pr Joshua Pierce & Theodore Atkinson, Esqs, viz. That his Excell[y] had received from Great Brittain a coppy of an order of the Lords of his Maj[ties] Most Hon[ble] Privy Council dated February the 9[th] 1736, approving of the Report from the Right Hon[ble] the Lords of the comittee of Council for Plantation affairs, which Report Boare date the 4[th] of February, ordering his Maj[ties] Attorney & Sollicitor Gen[l] to prepare and lay before his Maj[tie] at that Board, the Dra[t] of a Comiss[n] to be past under the Great Seale, agreeable to what was therein proposed, as in a Comiss[n] of that [p. 483] Nature and with directions to the Lords Comiss[rs] for Trade and Plantations to write Circular letters to the Respective Governors: all which said orders was read in the House.

The vote for the six hundred Pounds Tax was sent up, and three of the members of the House was sent with a Message to his Excell[y], viz. That the House return'd his Excell[y] their hearty thanks for comunicating the coppy of the Report from the Right Hon[ble] the Lords comittee of Council for Plantation affairs, Dated February 4[th] about appointing Comis[rs] and making out a Commission for marking out the Boundary Lines, &c. which was read in the House.

Then the House adjourn'd to the 19[th] curr[t].

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Saturday March 19[th] A. D. 1736—

A Mess[a] sent by the House to know if the Board had any thing to offer. A Mess[a] from the Board that his Excell[y] had nothing to send to day: Nor the Board.

Then the House adjourn'd to 21[st] curr[t]

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Monday March 21, A. D. 1736—

Whereas there is the sum of thirty seven pounds seventeen shillings due to the Province from Joseph Mead & his brother John Meade & ought to be in the hands of the Treasurer for the Province of New hampshire for the time being, he is hereby ordered and Directed to Demand and receive what is due on the Bond of the said Meads, and upon Refusal of paym[t], to use all Lawfull wayes and means for recovering the Same, and when received to lye in the Treasury for the use of the Province as the Gen[ll] Assembly shall

order. There being no Mess[a] nor any thing from the Board, The House adjourn'd to the 22[d] curr[t].

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Tuesday March the 22[d] A. D. 1736—

A Mess[a] from the Board with the Treasury Bill for some small Amendments & that George Jaffrey & Theodore Atkinson [p. 484] Esqs. might be added from the Board to the Comittee of the House for receiving the money for the Agent.

Post Meridiem

The House Debated on the last Message. Then adjourned to the 23[d] curr[t].

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Wednesday March 23[d] A. D. 1736—

The amendments and additions to the Treasury Bill made, Read & past & sent up.

The Treasury Bill as past is as followeth, viz.

*Anno Regni Regis Georgii Secundi Decimo.*

An Act for the supply of the Treasury with the sum of six thousand five hundred pounds in Bills of Credit, for the discharge of the Publick debts of this Province and for other purposes in this Act hereafter mentioned.

*Be it Enacted* By his Excellency the Governour, Council & House of Representatives conven'd in Gen[l] Ass[m] and by the authority of the same that there be forthwith impressed in Bills of Credit of this Province the sum of six thousand five hundred pounds, the one halfe thereof on a small plate, & the other halfe on a large Plate & that such part thereof as the Gen[l] Ass[m] shall order be sign'd off by a Comitte to be appointed by the Gen[l] Assembly; and by them delivered the Treasurer (taking his receipt for the same) to be for such paym[ts] and allowances as hereafter in this Act is expressed, and for no other use intents or purposes whatsoever.

| | |
|---|---|
| For paym[t] of his Excell[y] Sallary to the 25[th] of August 1737 (Exclusive of Excise) | £885 : : |
| [p. 485.] For do. (Excluding the Excise) 9[r] 15[th] 1736 to the 25 May 1737, to be drawn w[n] due | £ 85 : : |
| For the Ball[a] of the Treasurer's Acct dated March 11[th] 1736 | £537 : 15 : 3 |
| For paym[t] to the officers and soldiers of Fort Wm & Mary to March 1737, according to their respective services besides w[t] the Treas[r] has already paid | £801 : 11 : 10 |
| For paym[t] to the Sec[y] 6 years Ending Aprill 15[th] 1737 | £450 : : |
| For paym[t] to the Clerk of the Ass[m] 6½ years to May 1[st], 1737 | £102 : 10 : |

| | |
|---|---|
| For do. to do. for wood supply'd the Ass$^{m}$ | £ 2 : 7 : 6 |
| For do. to do. assisting the Kings Attorney ag$^{t}$ the criminals | £ 2 : : |
| For do. to do. for paper 15s. 6d. & two Bookes 40s. | £ 2 : 15 : 6 |
| | £109 : 13 : |
| In paym$^{t}$ to Benj. Akerman as dore keeper for 6 years to the 15$^{th}$ Ap$^{r}$ 1737 | £ 60 : : |
| For paym$^{t}$ to the Sherif for 6 years to May 1737 | £ 90 : : |
| For Do. to Benj$^{a}$ Rust for the Court House to the 10$^{th}$ Aprill 1737, | £ 93 : 12 : 6 |
| For Do. to Jeremiah Libby's Account | £ 13 : 14 : 8 |
| For Do. to Michael Whidden's Account | £ 4 : 13 : 4 |
| For Do. to Eleazer Russell's Acc$^{t}$ to May 1$^{st}$ 1736 | £ 3 : 17 : 6 |
| For Do. to Joshua Pierce Esq. for Bookes for the Records | £ 18 : 10 : |
| For Do. to Richard Wibird, Esq. his acc$^{t}$ in full of it | £ 6 : 7 : 6 |
| For Do. to the Selectmen of Portsm$^{o}$ charge on the Pest House | £ 30 : : |
| For Do. to the Council sitting in Gen$^{ll}$ Ass$^{m}$ to Aprill 1737 | £310 : : |
| For Do. to the Grand Juryes | £140 : : |
| For Do. to Stephen Greenleaf's acc$^{t}$ | £ 2 : 19 : |
| For Do to the Comittee that went to Newbury about the Lines | £ 19 : 13 : 10 |
| For Do to Salathiel Denbow 6 years Pension | £ 30 : : |
| For Do. to Hampton Selectmen erecting a Pillory | £ 1 : 5 : |
| For Do. to Joshua Pierce jun$^{r}$ account | £ 1 : 19 : |
| For Do. to Ric$^{d}$ Perry's acc$^{t}$ for Wood &c. to the Fort to March 14$^{th}$ 1736–7 | £ 19 : 5 : 10 |
| For Do. to the Hon$^{ble}$ David Dunbar, Esq. Lt. Gov$^{r}$ for the Flag Staff, &c | £ 12 : 15 : |
| For and towards paying of the Agency (of the [P. 486] House of Representatives) in Great Brittain in the affaire of the Province Lines (and for no other intents or purposes whatsoever) to be paid Andrew Wiggin, John Rindge, George Jaffrey & Theo. Atkinson Esqs. and they to produce an account to the Gen$^{ll}$ Ass$^{m}$ how expended perticularly in the affaire of the Lines | £500 : : |
| For Paym$^{t}$ to the Selectmen of Portsm$^{o}$ for Powder sent 1726, | £ 8 : : |
| For Repaire of Fort Wm & Mary | £690 : : |
| For Repaire of the Prison | £150 : : |
| For paym$^{t}$ of Wolves Heads | £200 : : |
| For paym$^{t}$ of Expresses | £ 30 : : |
| For and towards paying & defraying the charge of the Comiss$^{rs}$ that are or may be appointed to mark out the Boundary Lines of the Province, & for the Committee to attend them, to be lodg'd in the Treasury for that use, to be deliver'd the Comittee of the Gen$^{l}$ Ass$^{m}$ as there shall be occasion, and they to give account how Expended | £500 : : |

| | |
|---|---|
| For paym$^{t}$ of a Bounty on Hemp | £100 : : |
| For do. to Mr. Henry Newman Ball$^{a}$ of his Acc$^{t}$ for agency | £ 42 : : |
| For Do. to John Trundy's account | £ 1 : 6 : 8 |
| To be lodg'd in the Treasury for payment of signing, Printing & Paper, for the money in this Bill, and for other paym$^{ts}$ as the Gen$^{ll}$ Assembly shall order | £580 : 19 : 7 |
| | £6500 : |

*And Be it Enacted* by the authority aforesaid that no money appropriated to the uses aforementioned be drawn out of the Treasury for [p. 487] the discharging any other Publick Debts upon Penalty of the Treasurer's Refunding any such sum or sums, as he shall pay contrary to such appropriation.

And for a Fund and Security for drawing in the sume of six thousand five hundred pounds

*Be it Enacted* by the authority aforesaid, that there be and hereby is granted to his Most Excellent Maj$^{tie}$ for the Ends and uses above mentioned a Tax of six thousand five hundred pounds, to be Levyed on the Poles & Estates Real & Personal of the Inhabitants of the Province of New-Hampshire according to the last Proportion, or as the Gen$^{ll}$ Assembly shall come into any new Proportion, between this and the year 1740; Four thousand pounds of it to be paid into the Treasury by the last day of December in the yeare 1741, and the remaining part of said sum being two thousand five hundred pounds by the last day of December in the yeare 1742, and in as much as it will be next to impossible to Collect all the several Bills Emitted on the credit of this Province at that time outstanding, without which payment cannot be made,

Therefore, *Be it Enacted* by the authority aforesaid that the Paym$^{t}$ into the Treasury aforesaid be made in manner and form following, viz. in Bills of Credit of this Province, or in silver at Eighteen shillings pr ounce, or in good merchantable well drest Hemp at eight pence pr pound, or in good well drest Flax at eighteen pence pr pound, or in good merchantable Barr Iron at forty shillings pr hundred, or at any other Prices that the Gen$^{ll}$ Assembly may set on the several species abovementioned at any time between this and the yeare 1740.

*And Be it further Enacted* by the authority aforesaid, That the said silver, Hemp, Flax & Barr Iron shall be disposed of to the best [p. 488] advantage of the Province by the Treasurer for the redeeming the Bills of Credit of this Province that may be outstanding at that time, and when the Bills are Bro't into the Treasury then to be burnt in the face of the Gen$^{ll}$ Assembly, and if any loss happen by the sale of the aforesaid species, or by any unforeseen accident, such deficiency to be made good by a Tax of the next yeare following, so as fully and effectually to call in the whole sum of six thousand and five hundred pounds in said Bills hereby ordered to be Emitted, and if there be any surplusage it shall remaine a stock in the Treasury to be drawn out as the Gen$^{ll}$ Ass$^{m}$ shall order.

Then the House adjourn'd to the 24$^{th}$ curr$^{t}$.

Thursday March 24th A. D. 1736.

A Messa from the Board with several Petitions and votes of Council thereon, viz. Wm. Hill & James Clark's read & the house concurr'd with the Council's vote thereon That they have liberty to Bring in their Bill.

John Goff's Petition Read: & vote of Council concurr'd, That he has liberty to bring in a Bill. Boyce and others Petition Read & ordered to serve the opposite Parties with a Copy & to appeare next Tuesday if the Assm be then sitting, & if not then sitting to appeare the second day of the sitting of the next Sessions of Genll Assembly.

Wallace & others Petition Read and the like order on it.

Hampton Falls Petition Read and the like order thereon.

Chester Petition read and the like order. All sent up.

Post Meridiem.

A Messa from the Board with the vote of the House of the 11th currt about the 1730£ with a vote of Council thereon, viz.

In Council Read and Concurr'd with this alteration, namely, That the Interest within mentioned lie in the Treasury for the use [p. 489] of the Province as the Genll Assembly shall order, or becom due by Law, and also that Mead's Bond be included in the Bill within mentioned, and that the time of payment of the money within mentioned be the 15th of October next, instead of July.

Then the House adjourned to the 25th Currt

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Fryday March 25th, 1737.

Voted, That Capt. John Rindge & Capt. Peter Gilman be a Comittee of this House to joyne such as the Honble the Council shall appoint, to consider of what Denomination the Plates shall be off, for striking the money now to be made.

A Messa from the Board, the above concurr'd and that Elis Huske & Theo. Atkinson Esqs. were appointed at the Board to joyne, &c.

The vote of Council on the 1730£ above read and *non-curr'd.*

Mr. John Goff's Bill Bro't in and read.

A Letter was Bro't directed to the House from the Honble David Dunbar, Esq. and was Read in the House.

Three members were sent from the House, to Return thanks to his Hon^r for his kind offers.—[See Letter in Corr.]

Then the House adjourned to the 26^th^ curr^t^.

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Saturday March the 26^th^ A. D. 1737.

Voted That Mr. Speaker Wiggin, John Rindge and James Clarkson Esqs. be a Comittee of this House to joyne with the like number to be appointed by the Hon^ble^ the Council to signe off all such Bills as are ordered to be Emitted by the Gen^ll^ Assembly this Sessions, any foure of them to be a Quorum and that they take care for the Printing the same at the least charge they can.

Voted That John Rindge, Esq. be appointed by this House to Joyne such as the Hon^ble^ the Council shall appoint to agree with any p'son or p'sons for the Repaire of the Goale, according [p. 490] to the Return of the Comittee made this Sessions at the Cheapest Rate they can, and to se the same be well done.

Mr. John Goff's Bill read three times and past to be Enacted.

Rochester Petition past upon & leave to bring in a Bill.

Then the House adjourned to the 29^th^ curr^t^.

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Tuesday March the 29^th^ A. D. 1737.

Voted That Jotham Odiorn be appointed by this House to joyne such as the Hon^ble^ the Council shall appoint to agree with any p'son or p'sons for the Repaire of the Fort Wm. & Mary according to the Return of the Comittee made this Sessions at the cheapest Rate they can, & to see the same well done.

Mr. Atkinson Bro't down two Bills to be past upon, and a written Mess^a^ from his Excellency which Mess^a^ was read in the House as follows, viz.

*Gen't of the House of Representatives,*

I hope the Generous Part the Town of Portsmouth (the Capital of this Province) has acted, togeather with the handsome subscription made by a number of Gentlemen towards the Building of a Court House will induce you to consider further on an affaire so necessary to the Hon^r of his Maj^tics^ Goverm^t^ & to the Interest of his People, and that you will think this a proper time to make suitable Provision for completing so good a work.

March the 29^th^, 1737. J. Belcher.

A Bill for Enabling the Grand Comittee of the £15000 loane to get in that Money was read.

Tibbets Bill Read. The act for the £600 Tax Read. The act for getting in the £1730, & Meads money Read. Capt. Hart's Bill Read.

Post Meridiem.

All the above Acts & Bills Read a second time.

[p. 491.] A Petition of the Presbyterians of Chester praying Relief against their paying to the Congregational meeting or minister in the same Town was read. Both parties being present they had a hearing.

*Chester Petition.*

[Copied from MS. Corr. in Secretary's Office, Vol. 1, p. 90.]

To his Excellency JONATHAN BELCHER, Esq. Gov$^{r}$ and Commander in Chief, in & over his Majesty's Province of New Hamp$^{r}$, the Hon$^{ble}$ his Majesty's Council and House of Representatives.

THE PETITION of sundry of the Inhabitants of Chester in the Province of New Hampshire.

Humbly Sheweth,

That your Petitione$^{rs}$ tho' at present Inhabitants of Chester afores$^{d}$ formerly belonged (most of them) to the kingdom of Scotland & Ireland, where they were Educated in the principles of the Kirk of Scotland, for which they have a great veneration—That while Mr. Moses Hale was the minister of the Town your Petition$^{rs}$ paid taxes towards his support tho' they went many of them to Londonderry to meeting, & most, if not all of them constantly to receive the sacraments, not being then in a condition to settle a minister of the Presbyterian order:—After Mr. Hale's misfortunes had necessitated him to lay aside the work of the ministry, the Town being Destitute of a Gospel minister, your Petition$^{rs}$ proceeded to call & ordain a minister of that Denomination among them, tho' scarce able to defray the charge, that they might worship God & enjoy the ordinances of the Gospel in a way (which they apprehend) more agreeable to Script$^{e}$ & the primitive pattern, at least more agreeable to their consiences, than they could among the Congregationalists:—That during the time that y$^{e}$ Town was destitute of a minister of the Congregational order your Petition$^{rs}$ often Invited their Brethren of that Denomination to joyne with them, if not longer, at least till they were better provided for, & that such conformity should be no Expence to them, for that your Petition$^{rs}$ would support their own Minister themselves; But they refused to accept the the offer.—That about two years after Mr. Hale had left Chester those of the Inhabitants who differ in sentiments from your Petition$^{rs}$ in conjunction with the non-resident Propriet$^{rs}$ proceeded to call & settle in the Town a Congregational Minister who is still there—That your Petition$^{rs}$ apprehending that those who had called & settled such a minister would be for supporting him by a tax on all the Inhabitants represented to them in their Public meeting & to the Select-men of the Town, that it was highly unreasonable and unkind, all things & cir-

cumstances considered, to oblige your Petition$^{rs}$ to pay towards the support of a minister they did not call nor hear when settled, &c. & prayed they might be exempted, & the rather because they conceived themselves to be such Persons as were intended & Exempted by the Proviso in the Law of the Province Entituled *an Act for maintainance & supply of the Ministry within this Province:* But all would not prevail. The Selectmen of the Said Town have rated all the Inhabitants without Exception of any Sect, & have Distrained & Imprisoned some of yo$^{r}$ Petitoners for such Rates.

Your Petition$^{rs}$ therefore pray the aid of this Court as the Dernier resort of the Distressed that you would be pleas'd in yo$^{r}$ great wisdom and Goodness to Explain the Proviso in the afores$^{d}$ Act, & say whether yo$^{r}$ Petition$^{rs}$ are Exempted thereby from being taxed to the settling & support of the said Minister. And if your Excellency & the Hon$^{ble}$ the other Branches of this Court shall not think the Law already made excuses your Petition$^{rs}$ from the afores$^{d}$ Charge, that you would be pleased to Commiserate the case of yo$^{r}$ Petition$^{rs}$ (seeing as it now stands, they must either act against their own judgment, or dearly purchase the liberty of the contrary) and make a special act whereby they may be discharged & Exempted from bearing any part of the Burthen of settling & supporting any minister except their own, & from pay$^{g}$ the afores$^{d}$ Rates already made, and that such may have their money allowed them from whom the same has been distrained by virtue of the afores$^{d}$ Rates: And yo$^{r}$ Petition$^{rs}$ as in duty bound shall ever pray, &c.

his
Allexa$^{dr}$ X Crage
mark
James Campbell
And$^{w}$ Crage
Willom Whit
Francess Cooks
Robert Mills
Joseph Nill
his
William X Poul
mark
Willem Carswall
Robart Recrest
John Dickay
Thomas Calwell
William Calwell
James Willson
John Carswell
Samuel Brown
John Wadel
Robert Graham
John Boid
John Karr
Robert Wilson
James Quenton
Paul Mc aferson
James Mc aferson
Wilam Mc aferson
Samuel Mc aferson
Robert Knocks
Robert Grims
his
John X Powl
mark
James Crossett
Robert Campbell
James Wilson
James Willson, jun.
Hugh Willson,
David Crage
William Graham
Thomas Glen
James Whit
John Aikan
Thomas Smith
Johone Smith
James Whiting
Samuel Ingalls
William Craffoord
Robert Dayen
William Petterson
William Willson
John Tolford
John Mills jun$^{r}$
John Mills sen$^{r}$
John Shirela
Charels Moore
James Waddel
John Boyd jun. 54

In Council March 23, 1736–7

Read & Recommended.

Rich$^{d}$ Waldron, Sec$^{y}$.

Mar$^{h}$ 24$^{th}$ 1736–7.

In the House of Representatives the within Petition was read, and voted, That the Petitioners serve the Selectmen of y$^{e}$ adverse partie with a Coppy of this Petition & votes thereon; to appeare before the Gen$^{l}$ Assm. next tuesday to shew cause (if they can) why the prayer of the Petition may not be granted, & if the Assm. be not then sitting then to appeare the Second day of the sitting of the Gen$^{l}$ Assm. at their next sessions.

James Jeffry, Cler. Assm.

In Council, March 24, 1736–7.

Read and Concurr'd

Rich$^{d}$ Waldron, Sec$^{y}$.

March 24, 1736–7. I assent to the above votes

J. Belcher.

New Hampshire. I have served the Selectmen with a Coppie of this Petition, March the first day 1736–7. John Shirela

Constable for Chester

March 30$^{th}$ 1737. In the House of Representatives.

The within Petitioners & the adverse parties heard by their Council, and voted, That the Petition ly for consideration till the next sitting of the Gen$^{l}$ Assm. And that the Constables of the Town be ordered not to proceed to collect any sume from any the Presbyterian party towards a ministers Tax, till this affaire be further considered of by the Gen$^{l}$ Assm. James Jeffry, Cler. Assm.

In Coun. Eod. die.

Read & Concurred. Rich$^{d}$ Waldron, Sec$^{y}$.

Same day assented to.

J. Belcher.

In the House of Representatives.

The within Petition read and the Parties Heard thereon, and voted that the Petition be dismiss'd.

7$^{r}$ 1$^{st}$ 1737 James Jeffrey Cler. Assm.

In Coun. Eod. die.

Referred to the next Session for further consideration

R. Waldron, Sec$^{y}$.

In Coun. Oct. 19, 1737.

Read and non-concurr'd with the vote of the House for dismissing this Petition, The Council being of opinion the Petitioners are within the Saving of the Act of this Province Entituled an Act for maintenance and supply of the ministry within this Province.

Rich$^{d}$ Waldron, Sec$^{y}$.

In the House of Represent$^{s}$

The above Vote Read & Concurr'd.

8$^{r}$ 19, 1737. James Jeffrey, Cler. Assm.

Oct. 20, 1737. Assented to

J. Belcher.

*Letter from Lieut. Gov. Dunbar.*

[Copied from MS. Corr., Vol. I, p. 95.]

Portsm° N. H. April y^e^ 16, 1737.

*Gentlemen*,

Yesterday I sent an order to y^e^ Sec^y^ to summon the Council to meet me at 11 o'clock this morning w^ch^ order he has refused to obey. I therefore give you notice by the sheriffe that it is my order that y° meet in Council at my House tomorrow morning at 11 o'clock, I being confined by lameness. I expect your ready complyance as you will answer the contrary.

Given under my hand the day and year above. D D

To the Hon^ble^ the members of his
Majesty's Council, in New Hampshire.

To the High Sheriff of his Majesty^s^
Prov. of N. H. or his Deputy.

*Sir*—You are hereby required to show the above order to each of the Gentlemen of his Majesty's Council & summon them accordingly, and make a particular return of what answer you receive from each.

D D

R. W's Answer. My service to his hon^r^ & tell him I can't comply w^th^ his order to meet in Council, unless it appears to me to be in pursuance of one from his Excellency the Gov^r^ & Comand^r^ in Chief.

*Warrant from Gov. Belcher.*

[Copied from MS. Corr,. Vol. I, p. 97.]

By his Excellency Jona. Belcher, Esq. Gov^r^ & Comander in Chief in and over his Majesty's Province of New Hampshire in New England:

To the Committee appointed to call in the
residue of y^e^ £15,000 loan.

In obedience to his Majesty's Special Comand to me for seeing that the public moneys be called in according to their respective periods, I do hereby direct & require that you do, without delay put in Execution the law or laws for calling in what is yet outstanding of the said 15,000£ that the same may be in your hands ready to be delivered to the General Assembly & burnt at their next Sessions. Hereof fail not. Given under my hand and seal the —— day of —— 1737. In the 14^th^ y^r^ of his Majesty's reign.

*Gov. Belcher's Order to Lt. Gov'r Dunbar about a Letter to the Court of Sessions & Common Pleas.*

[From MS. Corr. in Secretary's office, p. 87.]

Whereas very early this Morning I had an Express from his Majesty's Justices of the Court of Sessions & Common Pleas for the Province of New Hampshire, sitting at Hampton, acquainting me, That you wrote them you had rec'd the King's order declaring the Act of the General Assembly past in Dec^r^ 1730 to be void, and they sent me what you say is Copy of that Order: If you have such an original Order, and what you attest be the Copy, I find it is directed, *To the*

*Governor or Commander-in-Chief of his Majestys Province of New Hampshire for the Time being:*

I therefore now order you on Receipt of this to send me His Majesty's said Order, That in obedience thereunto I may give the proper Directions about it.

Given under my hand, June 8, 1737.

To the Hono$^{ble}$

David Dunbar, Esq.

Lieut. Gov$^{r}$ of his Majestys

Province of New Hampshire.

A Mess$^{a}$ pr Mr. Secretary from his Excell$^{y}$ viz. That his Excell$^{y}$ desiered the House would make dispatch of the Business that he might go Fryday next.

Mr. Boyce was heard on the Londonderry Petition, the Adverse parties being present.

Then the House adjourned to the 30$^{th}$ curr$^{t}$.

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Wednesday, March the 30$^{th}$ A. D. 1737.

The act for the Tax of £600 Read a third time & past to be Enacted & Engros'd.

The act about the £15000 Loan Read a third time & past to be Enacted & Engros'd.

Capt. Hart's Bill read three times & past.

Voted, That Chester affaire lye for Consideration till the next sitting of the Gen$^{ll}$ Assembly, and that y$^{e}$ Constables forbeare gathering any Ministers Rates from the Presbyterian party till further Order.

Rochester Bill read a third time & past to be Enacted & Engross'd

Theo. Atkinson's note was Bro't to be Entered in the Journal, viz. I promise to pay the Treasurer of the Province of New Hampshire for the time being the sum of three hundred pounds twelve shillings and six pence, being for vallue received in the Ball$^{a}$ of accounts due to the Province from Mr. Clem$^{t}$ Hughes Deceas'd & Mr. John Ambler, to be paid the said Treasurer or his order at or before the 15$^{th}$ day of October next, as Witness my hand this 29$^{th}$ Ma$^{r}$, 1737.

£300: 12: 6. Theodore Atkinson.

[P. 492.] Post Meridiem.

Portsmouth South Parish Petition Read & the Parties heard thereon & voted the further consideration thereof be suspended till the next Sessions.

There was Bro't in by Theodore Atkinson Esq. of the money he had as Trustee to Exchange the old Cypher'd Bills of Credit, & Burnt the sum of £569 : 19 : 6.

The votes on the Londonderry Petition concurr'd

Voted, That Theodore Atkinson Esq. be discharged of the above sum of £569 : 19 : 6

Then the House adjourned to Aprill the 1st 1737.

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Fryday, Aprill the 1st A. D. 1737.

Voted That Mr. Speaker Wiggin, John Rindge Esq. Mr. Thomas Packer & Capt James Jeffrey be a Comittee of this House to joyne with such as the Honble the Council shall appoint, to wait upon and attend the Comissrs his most Excellent Majtie hath or may appoint, to mark out the Boundary Lines between the Province of New Hampshire and the Province of the Massachusetts Bay, and to provide Witnesses, Pleas, Allegations, papers & Records, to be presented and made before the said Comissionrs in that affaire and to provide for their reception & Entertainment, and five of such Comittee to be a Quorum, and that the Treasury supply said Comittee with such money as may be needfull or necessary in that affaire. Sent up.

Eodm Die. Mr. Secretary came with a message from the Board that the above vote was concurr'd and that the Board had appointed Mr. President Walton, George Jaffrey, Jotham Odiorn & Theo. Atkinson, Esqs. to be of the Comittee from the Board to joyne with the Gent above for the service above.

[P. 493.] Voted that the Comittee appointed this Sessions for signing the Bills of Credit on this Province be impowered and directed at the charge of this Goverm't forthwith to get Impressed and signed the sume of three thousand pounds in Bills of Credit on this Province, the one half thereof on the Large Plate and the other haff on the small Plate that the £6500 is to be struck off from, and that the said sume of £3000 be immediately put into the Treasury and be applyed in Exchanging such of the Bills of Credit of this Province as have been formerly Emitted and are broken and defaced, or otherwise Rendered impassable, and for no other use intent or purpose whatsoever, and that the Treasurer for the time being be allowed and paid the sum of two pr ct. for

such sums as he shall Exchange, which old Bills when so Exchanged shall be Bro't into the Gen$^{ll}$ Ass$^{m}$ & in their Sight be Burnt to ashes Each Sessions as rec'd by the Treasurer.

Voted, That Whereas Theo. Atkinson Esq. has given his note for paym$^{t}$ of Hughes' money and Ambler's money payable to the Treasurer, Therefore

Voted That the said Atkinson be hereby discharged of all further accounts about the same.

Whereas the Plates for striking the Publick Bills of Credit of this Province now are in the Keeping of Theodore Atkinson, Esq. Voted that the Treasurer demand and receive the said Plates from the said Mr. Atkinson, and they to Remaine in the Treasury for the use of the Province.

Mr. Secr$^{y}$ Bro't a written Mess$^{a}$ from his Excell$^{y}$ which was Read, viz.

*Gen't of the House of Representatives*

Before I put an end to this sessions, I should be glad you would once more consider the affaire I have so earnestly recomended to you of Erecting a Court House in the Town of Portsmouth, [p. 494] the doing of which I still think of Great Importance to this Province.

Aprill 1$^{st}$ 1737. J. Belcher.

The question was put, whether the House should Raise any sum for Building a Court House. It past in the negative.

Voted, that Paul Gerrish & Thomas Millet Esqs. be a Comittee of this House to thank his Excell$^{y}$ for his kind Mess$^{a}$ & offers in relation to Building a State House.

Mr. Secretary came with the following Mess$^{a}$ viz. That the Board had concurr'd the vote for a Comittee about the Prison, and that Jotham Odiorne, Esq. was appointed at y$^{e}$ Board and that Henry Sherburn, Esq. was appointed at the Board to joyne the Comittee for the Fort, and that himself, Eph$^{m}$ Dennet & Joseph Sherburn Esqs, were appointed at the Board to joyne the Comittee of the House as signers of the money now to be made; and that the vote for £3000 to exchange the old money was concurr'd, and the votes on Atkinson's money and all the Bills & acts were concurr'd.

Whereas there is now an Emission of £9500 ordered to be printed & sign'd off for the uses mentioned in the several orders for the same, and the Printing £500 more when the Press is at work will be but little charge, Wherefore voted that there be £500 printed off at the same time with the

£9500 & the said £500 to lye Blanck in the Treasury, untill further order by the genll assembly.

Mr. Secretary came with a Messa that the above vote was concurr'd, and that his Excellv Required the attendance of Mr. Speaker & the House in the Council Chamber.

Mr. Speaker and the House went up accordingly, [p. 495] and after the several acts and Bills were read and past, his Excellv ordered Mr. Secrey to Prorogue the Genll assembly to the sixth of July next. Then Mr. Secrv Declared the genll assembly Prorogued accordingly.

His Excellency by Proclamation (in the Publick Gazette) dated the 20th June 1737 Prorogued the Genll assembly of New Hampshire to the 4th day of August 1737.

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August the 4th 1737, the House met according to his Excellencys Prorogation by Proclamation, dated the 10th June, 1737.

A Messa sent to the Board pr Mr. Packer that there was a Bare House, but not Eno. to act being but ten members present

Mr. Secretary came down with a Messa viz. That Mr. President Walton had received orders from his Excellency to Prorogue the genll assembly to Wednesday next at Hampton, but no place named; and then Mr. Secretary Declared the Genll assm Prorogued to Wednesday next at Hampton accordingly.

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Wednesday August 10th A. D. 1737. Hampton.

A Messa sent to his Excellv to signifie there was a House met. Mr. Secretary came with a Messa from his Excellv, viz. That his Excellv Required the attendance of Mr. Speaker and the House in the Council Chamber.

Mr. Speaker and the House went up accordingly. His Excellv made a speech. Mr. Speaker obtained a coppy and then Return'd. The speech Read in the House as follows, viz

*Gent. of the Council & of the House of Representatives*

His Majesties Comissrs for settling the Boundaries between this Province and that of the Massachusetts Bay, being arrived and ready to enter on theire Business, the first [p. 496] thing this assembly has to do is the chusing & appointing two officers wth whome any notice from the said comissrs may be left, agreeable to his Majties commission.

I Prorogued this Court to this time and place, & that of the Massachusetts to the town of Salisbury, that the two assembly's might sit neare to one another, the better to facillitate all matters that may be Bro't forward Respecting this long depending controversy, to which I heartily wish a just and friendly Issue.

Hampton, August 10th 1737. J. BELCHER.

Voted That James Clarkson Esq. and Mr. Jotham Odiorn be a Comittee of this House to answer his Excellys speech.

Then the House adjourned to the 11th currt.

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Thursday August the 11th A. D. 1737.

Voted, That a Precept be sent to Londonderry for the choice of a Representative to attend his Majties service in Genll assembly.

Then the House adjourn'd to the 12th currt.

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Fryday August the 12th A. D. 1737.

The answer to his Excellys speech was read in the House as follows, viz.

*May it Please your Excellency,*

We of the House of Representatives in General Assembly conven'd beg leave to return your Excelly our hearty thanks for the regard your Excelly is pleased to Express in the just and friendly settling of the Boundarys between this Province and that of the Massachusetts.

Your Excelly is Pleased to observe to us "that the first thing proper to enter upon is the chusing and appointing two officers with whome any notice from the [P. 497] Comissrs may be left agreeably to his Majties Comission."

To which we answer yonr Excelly, That in compliance with your Excellencies direction, we shall with the greatest cheerfulness be readdy to do Every thing your Excelly can Reasonably desier or expect of us: But we understand that our Comittee appointed by our General Court, Did, in a strict compliance with his Majties Comission make choice of the Secretary & High Sherrif of this Province & given in their names and places of aboad, at the first meeting of the Comissrs which we are informed is approved of and Entred togeather with the Comittee's power in the Journals of said Comissioners Court, which proceedings of the Comittee in the choice of the Publick officers above said this House approves of,—for had it not been done at the first meeting of the Comissrs we apprehend the Court might have proceeded against this his Majesties Goverment, Exparte (1) agreeable to his Majties Comission, to which we do assure your Excellency, we have and shall pay our strict obedience & shall be ready on our part to do

(1) See Farm. Belknap, p. 244.

every thing in our power to facilitate that affaire, that if possible it may have the desired effect of a friendly & happy Issue.

August 12th 1737, voted to be sent up.

Andrew Wiggin, Speakr

Newington Petition sent down from the Board, Voted, that it be dismd

Post Meridiem.

Mr. William Parker (Clerk to the Court of Comissrs) Bro't in a Messa from the said Court of Comissrs which was read in the House as follows, viz.

Province of New Hampshire

Hampton, August 12th, 1737

At a Court of Comissrs appointed by his Majties Comission under the Greate Seale of Great Britain, [p. 498] to settle the Boundary Lines between his Majties Province of New Hampshire and the Massa in New England, then and there held:

Whereas his Majties Comission impowering the said Court to settle the said Boundarys Recomends all convenient speed & Dispatch in that affaire, & a true Plan or Draught of the Course of Merymack River, & Land adjacent, as also of the River Newitchwanock, being of great use, to give a right understanding of the controversie between the two Provinces . . . This Court therefore recomend unto the Respective General Courts of the said Provinces now sitting to agree on some Plan which they shall think Propper to be laid before this Court for the Ends aforesaid, and to prevent the Expence and delay of taking any new Plan, That so the same may be presented to this Court on Monday the 22d Inst. to which time this Court is adjourned, & ye Clerks are directed forthwith to send Coppys hereof to the Respective Genll Courts aforesd.

Examined pr William Parker, Cler.

Prescotts Petition past upon & Liberty to bring in his Bill.

Then the House adjourn'd to the 13th currt.

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Saturday August the 13th A. D. 1737.

Province of New Hampshire, Augt the 13th 1737.

In the House of Representatives,

Upon the Recomendation of the Honble his Majties Comissrs for settling the Boundary Lines of this his Majties Province of New Hampshire and the Province of the Massa Bay, for the Assemblys of the said Provinces to agree upon a draught or Draughts of the Rivers Merymack & Newitchwanock to be laid before said Comissrs on the 22d, being of great use to give them a right understanding of the Controversy between

the two Provinces to be presented on Monday the 22d curr$^{t}$, Therefore, That the same be not delayed,

Voted, That the Committee already appointed to lay all papers & Evidences &c. on the part of New hampshire before said Comiss$^{rs}$, be hereby fully impowered to agree with such Comittee or Agents as the Great and Gen$^{ll}$ Court of the Province of the Mass$^{a}$ shall appoint, upon any draught or draughts of the Rivers Merymack & Newitchwanock, to be laid before said Comiss$^{rs}$ on the 22d curr$^{t}$ and our Comittee is hereby directed that they meet at the house of [p. 499] John Brown, Inholder at Hampton-falls this 13$^{th}$ Instant at 3 o' the clock afternoon & that a coppy of this vote be sent to the Gen$^{ll}$ Ass$^{m}$ of the Mass$^{a}$ to Inform them that our Comittee will attend at the time and place or any other time and times, that our said Comittee are hereby impowered to put in before the Comiss$^{rs}$ any draught or Draughts they shall think Proper.

Sent up for concurrence.

The Council's vote on Newington Petition Read & Voted they be heard thereon the 2d day of the next sitting of the Gen$^{ll}$ Ass$^{m}$.

The vote of Council on Portsm$^{o}$ South p'ish Petition read and concurr'd.

A Mess$^{a}$ from his Excellency pr Mr. Secr$^{y}$, viz. That his Excell'y adjourn'd this Gen$^{ll}$ Ass$^{m}$ to the 17$^{th}$ Curr$^{t}$ & Declared the Ass$^{m}$ adjourned accordingly.

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Wednesday August 17$^{th}$ A. D. 1737.

The House adjourned to the 18$^{th}$ curr'$^{t}$.

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Thursday August 18$^{th}$ A. D. 1737.

A Petition of the North part of Exeter called Newmarket Praying to be sett off as a Town Read.

A Petition of Hampton Town praying relief for that several p'sons living within their Bounds were Rated in the Parrish of Rye, read.

Whereas it hath pleased his Maj$^{tie}$ to appoint under the Great Seale Comiss$^{rs}$ for marking out & settling the Boundary Lines between this his Maj$^{ties}$ Province of New hampshire & the Province of the Mass$^{a}$ Bay, & in as much as the charges of the Hon$^{ble}$ Gen$^{t}$ coming hither & their support in attend-

ing his Majtics service in that affaire has and will be attended wth great Expence, And whereas there is now in the hands of the Treasurer the sum of [p. 500] £500 in Blanck Bills of the new impression not signed off, Therefore voted, That the £500 in Blanck Bills aforesaid be immediately signed off by the same signers that signed the last Emittion, & put into the Treasury for the paymt of any charges relating to the Honble Comissrs & the affaire of the Lines, to be drawn out (if there shall be occasion) by the Comittee already appointed to attend his Majtics Comissrs in that affaire, and that they render an account thereof to the Genll Assembly, how expended, & that it be paid into the Treasury by a Tax on the Poles and Estates of the Inhabitants of this Province in the yeare 1740, and that an Act be drawn up accordingly.

Voted to be sent up, nemine contradicente.

Voted, That the Hampton Petitionrs serve the Selectmen of Rye with a Copy of theire Petn and that they appeare the 3d day of the sitting of the Genll Assm next Sessions to shew cause, &c.

Voted, That New Market have liberty to bring in a Bill, & to have the priveledge of chusing their Town officers as other Towns have.

Upon Portsmo Petn, voted the Parties be heard as soon as possible.

A Messa pr Mr. Secretary that the Portsmo vote was concur'd at the Board.

Newington Petitioners heard & voted the Prayer of the Petrs be granted. When the House adjourned to the 19th Currt

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Fryday August 19th A. D. 1737.

Mr. Secretary Waldron Bro't into the House from the Council Board a Draught of the River Merymack presented pr. the Comittee of the Messa with the following votes thereon for the concurrence of this Assembly, viz.

[p. 501.] Province of the Massachusetts Bay,

In Council, Augt 18th 1737.

This Court having upon the Recommendation of the Court of Comissrs agreed upon a Plan or Draught of the River Merymack to be laid before them, Voted, That a copy of said Plan & the Comittees Report & the order of this Court thereon be Exhibited to the Genll Court of the Province of New hampshire In order to their agreeing

with this Court In Presenting y^e s^d Plan to the Comiss^rs afores^d. Sent down for concur. Simon Frost, Dep. Sec.

August 18^th 1737. In the House of Representatives Read & Concurred. J. Quinsy, Speak^r

19^th Consented to J. Belcher.

Copy Examined pr Simon Frost, Dep. Secretary.

Province of the Mass^a Bay: The Comittee appointed to confer with the Comittee of New hampshire in order for the Gen^ll Courts agreeing on & presenting to the Court of Comiss^rs a Plan or Draught of Merymack & Newitchwanock Rivers, Do Report, That they have attended that service in Salisbury the last Tuesday & laid before said Comittee of New hampshire a Draught or Map of the River now & always known & called by the name of Monomack alias Merymack, who agreed to its being a true Plan of the said River, and that it should be presented the Respective Gen^ll Courts: the said Comittee of New hampshire offered us a Plan of part of Newitchwannock River and acquainted us that a Surveyor was then perfecting the survey of that River in order to Compleat said Plan, and to which we objected not. The Comittee do therefore herewith humbly Present the aforesaid Draught or Map of Monomack alias Merymack from the Crotch or parting thereof into two [p. 502] Equal Streams down to the mouth thereof where it Empty^s it self into the Sea, being a full mile more southward than it formerly did neare the Black Rocks, that so the same may be approved of by both Courts, and presented to the Hon^ble Comiss^rs for marking out & settling the Boundarys between the two Provinces according to their Recommendation. By order of the Comittee.

Salisbury, August 18^th 1737. Wm. Dudley.

In Council, August 18^th 1737. Read and ordered that this Report be accepted, and that the Plan hereunto annexed be accordingly presented to the Hon^ble Comiss^rs as a True Draught of the River Merrymack, agreeable to their Recomendation.

Sent down for concurrence. Simon Frost, Dep^t Sec^y

In the House of Representatives Read & Concurr'd.

J. Quinsy, Speaker

19^th Consented to J. Belcher.

Copy Examined, pr Simon Frost, Dep^t Secretary.

An Act for Establishing a Parrish by the name of Kensington in the West part of Hampton Falls was read three times and past to be Enacted & Engrossed.

An Act for Establishing a Parrish in the North part of Exeter by the name of New-market read three times and past to be Enacted and Engrossed.

Then the House adjourned to the 20^th curr^t

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Saturday August 20^th A. D. 1737.

The Return of the Comittee appointed to meet the Mass^a Comittee about the Draughts was presented and read, viz

Province of New hampshire, August 17th 1737.

Whereas the vote of this Genll Court of the 13th Inst. impowering the Comittee appointed for laying all papers &c. before the Honble Comissrs for settling the Boundary Lines, to agree with such Comittee or agents as [p. 503] should be appointed by the Genll Court of the Massa upon any Draught or Draughts of the Rivers Merrymack & Newitchwannock, In pursuance of the sd vote, we attended at the time and place therein mentioned, but heard nothing from the Massa Comittee untill the day following at Portsmouth, by a letter which is herewith offered, Proposing a meeting at Salisbury on Tuesday the 16th Inst. at 10 o the clock before noon, when and where we the Subscribers did Repaire: But not being impowered by said vote to Transact any affaire therein mentioned out of the Province did not presume to make any agreet on any Draught, But having viewed a Draught Exhibited by said Comittee Containing a Plan of the River Merrymack, and the River from thence to Winnipisioke Pond, which being proposed by both Comittees to be laid before the Respective Genll Courts for their approbation, and we having viewed the same and find it differs in nothing material from the Plat or draught made use of in this affaire in England and now on the Files of this Honble Court, and altho' the said Draught may not be Exactly Right in every particular yet that the affaire in controversy may not be Litigated or hindered, we humbly propose to this Hond Court that they (when the said Draught shall be laid before them) do approve & allow of the same, to containe a Plat of the river Merrymack from the mouth thereof where the Water runs into the Atlantick Ocean to the head of the said River, viz. at the Falls about a mile above Haverill Meeting House, and from thence a Plat of the River Winnipisioke till it comes to the head thereof, viz. the Great Pond Winnipisioke, together with the Falls & Mouths of the Rivers emptying themselves into the same. We also humbly offer a Draught of the River Newitchwannock to the furthest head thereof which we apprehend contains a true Platt of said River as it was [p. 504] formerly taken and lately surveyed by Mr. Cyprian Jeffry,—all which is humbly offered and submitted to the Consideration of this Honble Court, By

Shad Walton
Theo. Atkinson
Andrew Wiggin
Thomas Packer
James Jeffrey
} Committee

In the House of Representatives.

August 20th 1737, The above Return Read & voted to be accepted.

Province of New Hampshire,
August 20th 1737.

In the house of Representatives.

Pursuant to the Recomendation of the Honble court of Comissrs for to agreee upon a Plan or Draught of the River Merrymack to be laid before them & having now before this House a Plan or Draught presented by Genll Court of the Massa for this Court to agree with them upon to be present-

ed the Hon^ble^ Court of Comiss^rs^ and upon Examination of the aforesaid Draught we find the compass on said Draught not to be true, But in as much as it will not be of any great importance, the Mistake of the Compass, by Reason his Maj^ties^ Comiss^rs^ Requires a Plan or Draught not for marking out or settling the Boundarys between the two Provinces by, But to give a Right understanding of the Controversy between the Provinces only:

Therefore voted, That the annexed Plan be presented the Hon^ble^ Comiss^rs^ to give them an Idea of the Course of the Water from Winnipissiokee Pond to where it emptys itself into the Atlantick ocean. But we know of no such name as Merrimack River any further than from the Rivers mouth as far as the salt water flows, or to the first Falls about a mile above Haverill Meeting-house and from thence a Plat of the River Winnipissiokee till it comes to the head thereof viz. the Great Pond Winnipissiokee; and as to the Channel at the Rivers mouth where it Emptys itself into the Atlantick, we know of no such alteration [p. 505] that it is to the southward of where it used to be formerly, nor do we know of any such thing as the Black Rocks or Indicots tree ever to be any bound mark between the Provinces.

And it is also voted that the Plan of Newitchwanock River, taken by Mr. Cyprian Jeffry be allowed by this House to be a true Draught of s^d^ River to the Ponds & direct the same to be laid before the Hon^ble^ Court of Comiss^rs^ for the ends above said. James Jeffry Cl^r^ ass^m^

A mess^a^ pr Mr. Secretary, That his Excell^y^ adjourned this assembly to the 23^d^ at 10 of the clock A. M.

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Tuesday August 23^d^ A. D. 1737.

The affaire of the Lines being now under heareing before the Comiss^rs^ & sundry of the members being obliged to attend that affaire, his Excell^y^ not being in the goverm^t^, the House adjourned to the 24^th^ curr^t^.

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Wednesday, August 24^th^ 1737.

His Excell^y^ being out of the Goverm^t^. the Council would not sitt. The House adjourn'd to the 25 curr^t^.

## Thursday, August 25, A. D. 1737.

The Hon^ble^ Court of Comiss^rs^ sent another Recomendation in the words following, viz.

Province of New Hampshire.

At a Court of Comiss^rs^ for the settling the Boundarys between the Province of New Hampshire & the Province of the Mass^a^ Bay in New England held at Hampton in the Province of Newhampshire on y^e^ 24^th^ day of August 1737.

Whereas this Court on the 12^th^ curr^t^ Recomended to the gen^ll^ Courts of the Province of the Mass^a^ Bay & New hampshire (then & now sitting) to agree upon some Plan which they should think proper to be laid before the said court of the Rivers Merrymack and Newitchwannock in order to expedite the Business thereof, and [p. 508 [1]] whereas the gen^ll^ Court of Newhampshire have not sent to this Court any Resolve of theirs touching what was recomended to them as aforesaid, but it appeares to be acted on by one Branch of the gen^ll^ assembly only,

Wherefore this Court do renew their Recomendation of this affaire to the s^d^ Gen^ll^ Court of the Province of New Hampshire to agree upon some Plan as aforesaid in conjunction with the Gen^ll^ Court of the Mass^a^ aforesaid, if it may be, and they are desiered speedily to report their concurrence or non-concurrence with what is already done by the gen^l^ Court of the Mass^a^ touching the premises in writing. That so this Court may proceed on the affair which lay before them with all possible Dispatch, and the clerks are ordered forthwith to deliver coppys hereof to the Comittee of the Province of Newhampshire.

A true coppy as appeares of Record, Exam^d^ pr Wm. Parker, Benja. Rolfe, (2) Cle^rs^

## In the House of Representatives.

*May it Please your Excell'y & the Hon'ble Board*

Inasmuch as his Maj^tics^ Comiss^rs^ is at present stopt in their proceedings in the affair of the Lines (by your Excell^y^ & his Maj^tics^ Council) in not passing upon the Report of our Comittee & a vote of this House sent up the 20^th^ curr^t^ and his Maj^tics^ Comiss^rs^ having again recomended to our Gen^ll^ Court for a speedy Report of your concurrence or nonconcurrence upon the votes of this House in relation to the Plan or Draught of Merrymack River, &c.

And it is therefore humbly moved by this House to your Excell^y^ & the Hon^ble^ his Maj^tics^ Council, to pass upon said votes, that the Comiss^rs^ may have opportunity to proceed without any further delay in that affaire.

August 25^th^ 1737, voted to be sent up.

(1) There is an error in paging—506 and 507 being wanting in the original. ED.

(2) Benjamin Rolfe was a resident in Concord, then called Rumford, where he died December 20, 1771. He graduated at Harvard College in 1727, and for some time was the only civil magistrate in Concord. He married Sarah, daughter of Rev. Timothy Walker, of Concord, and she, after the death of Mr. Rolfe, became the wife of Benjamin Thompson, Esq., afterward the distinguished German Count, whose title was Count Rumford. Sarah, daughter of Count Rumford, died at the old family mansion in Concord, Dec. 2, 1852, aged 78. She made liberal bequests to several public Institutions, among which was $15,000 to the New-Hampshire Asylum for the Insane.—[*See Bouton's Hist. of Concord*, pp. 555, 572—573.] ED.

[P. 509.] The above was Return'd with a verbal mess[a] to strike out the words in the parenthesis which was done, and voted to be sent up againe.

The same vote Return'd againe with a written Mess[a] from his Excell[y], viz.

*Gentlemen of the House of Representatives*,

I am obliged to observe to you the great impropriety of a Mess[a] Bro't this day from your house saying his Maj[ties] Comiss[rs] are at present stopt in their proceedings in the affair of the lines by your Excell[y] and his Maj[ties] Council, not passing upon the Report of our Comittee, &c. There is nothing laying before me relating to the affaire of the Boundarys, but if any thing lies before his Maj[ties] Council, when they have passed thro' it, then it may properly come to me.

But if your Mess[a] has been made Ignorantly & inadvertently, you will take [care] for the future to act with that decency which becoms you to his Maj[ties] Governour.

August 25[th] 1737. J. Belcher.

In the House of Representatives.

Whereas this House received a Report from our Comittee that went to Salisbury to agree upon Draughts to be presented the Court of Comiss[rs] & past a vote on the same & also a vote of this House of the 20[th] Curr[t] & sent the same with the Draughts for the Upper House to pass upon the same & on the 24[th] current, presenting the said Draughts & votes of this House thereon to the s[d] Court, But the Mass[a] took Exceptions that 'twas acted by but one part of the Legislature, & therefore not good according to the Recomendation:

The said Comiss[rs] now recomend the same againe, that all parts of the Legislature may [P. 510] act if they please: Therefore in the House,

Voted that the said Recomendation be herewith sent to the upper house & pray their acting on s[d] votes.

A Mess[a] by Mr. Dennet with a vote of Council, viz.

In Council August 25[th] 1737.

Pursuant to the recomendation of the Hon[ble] Court of Comiss[rs] to agree upon a Plan of the river Merrymack to be laid before them, and now having before this Board a Plan of the River which runs from Winnipisiokee Pond to the Atlantick sea presented by the Great and Gen[ll] Court of the Mass[a] Bay, to the Gen[ll] Assembly of New hampshire to be agreed upon by the said Gen[ll] Ass[m] of New hampshire in order that be laid before the Hon[ble] Comiss[rs] afore mentioned,

Therefore voted, that the said Plan be accepted and it is hereby ordered that the same be forthwith laid before the

said Hon^ble^ Comiss^rs^ to give them an Idea of the beforementioned River runing from Winnipissiokee Pond aforesaid to the Atlantick ocean afore mentioned.

Ordered to be sent down for concurrence.

R. Waldron, Sec^y^.

In the House of Representatives Read and non concurred, and *Voted*, That the House adheres to their votes of the 20^th^ curr^t^ Relating to the Plans.

Then the House adjourned to the 26^th^ curr^t^.

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Fryday August 26^th^ A. D. 1737.

Province of New hampshire—

In the House of Representatives: Pursuant to the Recomendation of the Hon^ble^ Court of Comiss^rs^ to agree upon a Plan with the Mass^a^ voted, That the annexed Plan be Presented to the said Hon^ble^ Court of Comiss^rs^ to give them an Idea of the Course of the water from Winnipissiokee & Pimewasset (1) to where [p. 511] it emptys itself into the Atlantick Ocean.

Aug^t^ 26^th^ 1737 James Jeffry, Cler. Ass^m^.

Sent up for concurrence.

Eod^m^ Die. A Mess^a^ pr Mr. Secretary, That the last vote was concurr'd at the Board and assented to by His Excell^y^ and that his Excellency adjourned this Assembly to Wednesday next at 10 o' the clock.

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Wednesday August 31, 1737.

The affaire of the Lines being in the Height of Argument for conclusion and several of the members obliged to attend that affaire, The House adjourn'd to the first of September 1737.

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Thursday September the 1^st^ A. D. 1737.

Mr. Boyce was sworn & Qualifyed as a member of the House for Londonderry.

Chester Petition formerly Read was now Read againe: the Parties agreed to a hearing, and being heard and the House considered thereof,

Voted That the Petition be Dismiss'd.

Then the House adjourn'd to the 2d curr^t^.

(1) More commonly called Pemigewasset. Ed.

Fryday September the 2d A. D. 1737.

Chester Papers sent up.

A Messa from his Excellency pr Mr. Secretary viz. That his Excellency Prorogued the Genl Assembly to the 13th of October next; and then Mr. Secretary Declared the Assembly Prorogued accordingly.

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October the 13th A. D. 1837.

The House met according to his Excellency's Prorogation. A Messa sent to his Excellencie to signifie there was a Quorum met.

The return was, his Excelly said 'twas [p. 512] well, and Directed the House to proceed to Business.

Voted, That Nathaniel Weare Esq. Mr. Jotham Odiorn & Mr. George Walton be a Comittee of this House, to joyne with such as the Honble the Council shall appoint, to Examine the accounts now laid before the Assembly, by the Comittee appointed by the Genll Assembly in the affaire of the Lines, and to proceed thereon as soon as may be, and make their Return to the Genll Assembly for approbation.

Sent up for concurrence. The same vote return'd. Eodm Die, the same vote, and the accompt of charges the Comittee had been at on account of the Court of Comissrs was sent up with the vote.

A Messa from the Board that the vote was concurr'd and that the Board had appointed Ephraim Dennet, Joseph Sherburn & Ellis Huske, Esqs. to Joyne the above Comittee for the Ends therein mentioned.

Then the House adjourn'd to the 14th currt.

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Fryday, October the 14th A. D. 1737.

A vote of Exceptions to the Judgmt of the Honble Comissrs relating to the Boundary Lines was drawn up and Read, as follows, viz.

Province of New hampshire, Octr the 14th 1737.

To the Honble the Comissrs appointed by his Majties Comissn under the Great Seale, to settle the Boundary Lines between his Majties Province of New hampshire and the Province of the Massa Bay in New England:—

Forasmuch as his Excellency Prorogued the Genll Assembly of this Province at their last sitting before they could know the Judgmt of the

Comiss^rs Respecting the Boundary Lines of this his Maj^ties Goverm^t & Province to the day before the said Court of Comiss^rs by adjournm^t were to meet in order to receive [p. 513] the appeal of Either Province, that should think themselves agrieved, at which last meeting of the Comiss^rs Either Party agrieved, was to give in y^re appeal from which part of the Judgm^t as they should think eronious & not afterwards, and this Province, being thereby stript of the Bennefit & advantage of appealing from such part of the Comiss^rs Judgm^t as they should think unreasonable and Prejudicial, and that his Majesty might not think this House satisfied with all parts of the said Judgm^t

*Voted*, That his Maj^ties Province think themselves agrieved by said Judgm^t in the following particulars, viz. On the Southern Boundary, in that the Judgm^t says, Beginning at the Southerly side of the Black Rocks so called at Low Water mark, when those Rocks are about a mile from the mouth of the River Merrymack, and neare three Quarters of a mile north from where it Emtys itself into the Atlantick sea or ocean. 2^dly From a Parallel Line with the River in case a crooked Line should be run (which by no means we are humbly of opinion ought to be admitted) For we object against the runing a Crooked line Paralell to the River it being founded upon the old Charter of the Corporation of the Mass^a Bay long since vacated.

Yet in such a case it ought to begin three miles to tbe north of the mouth of the River Merrymack at Low water mark where it Emptys it self into the Atlantic sea or ocean, & in that manner to run no further than the River hath a Westerly course and not to run Paralel to the River where it runs north & south, at three miles distance from the River and far beyond where wee apprehend it was formerly called Merrymack and more Particularly because the Province of the Mass^a Bay [p. 514] now holds under the Charter of Wm & Mary which never intended a Crooked Line.

3^dly As to the Northern Boundary we object against that part of the Judgm^t that says "through the mouth of Piscataqua Harbor & up the middle of the River," Because we humbly conceive that Mr. Gorges Patent by which the Mass^a claim, doth not convey any Right to the River, for the whole of that River and the Jurisdiction thereof hath ever been in the possession of this Province, & never claimed by the Massachusets, and this Province in order to preserve & safe guard the same have alwayes had a Castle and maintain'd a garrison there. And the Comittee appointed by the Gen^ll Assembly of this Province to lay all papers and Evidences relateing to the affaire of the Lines before the Comissioners are hereby directed to p'sent this vote imediately to the Court of Comiss^rs for settling the Lines & pray that the same may be entred at Large in their Minutes & made part of their Records.

By order of the House of Representatives.

James Jeffrey Cle^r Ass^m.

## Post Meridiem.

The time to which the Council was adjourned to being past, A Mess^a was sent to know if the Council were sitting, The Return was, That there was no Council. This being the day the Appeal or Exceptions was to be filed and it Drawing neare sun setting, Another Mess^a was sent to know

if there was a Council. The Mess[a] Return'd for answer, That the Secretary told him there was no Council that he knew of, and that his Excell[y] was not known to be in the Province. Then the House ordered the Committee to hasten away, and file the Exceptions, as they were drawn, & voted by the House.

Mr. Hugh Adams bro't in a Petition [P. 515] which was ordered to lye till the House had more time.

In the House of Representatives

Voted, That Mr. Speaker Wiggin, John Rindge Esqs, Mr. Samuel Smith, Mr. Geo. Walton, Capt John Smith Mr. Jotham Odiorn & Mr. Thomas Packer be a Comittee in behalf of this House to Represent to his Maj[tie] by a Memorial the Difficulties that we have met with in the affaire of the Dividing Lines between this his Maj[ties] Province and that of the Mass[a] and with all humility to beg his Maj[ties] most Gracious favor therein.

Wheras the charges of the Comiss[rs] about the affair of the Boundary Lines, the Entertainm[t] of them & those appointed & obliged to attend upon them & assist in that affaire has been attended with very great Expence, an account of the same so far as is paid has been now laid before the Assembly, & there is yet a considerable sume wanting for payment of the further charges of the Comiss[rs] & other charges yet not Bro't in & must imediately be paid, and whereas there is £500 Blanck Bills now in, Therefore *Voted* that the £500 Blank Bills aforesaid be imediately signed off by the signers that sign'd the last Emittion & put into the Treasury for the paym[t] of the Comiss[rs] & charges Relating to the Boundary Lines, to be paid into the hands of the Comittee already appointed in that affaire & that they render an account thereof to the Gen[ll] Assembly, how expended, and that it be paid into the Treasury by a Tax on the Poles & Estates of the Inhabitants of this Province by the 25[th] of December in the yeare 1740, and that an Act be Drawn up accordingly. 8[th] 14, 1737.

Then the House adjourned to the 15[th] currt.

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[P. 516.] Saturday October 15[th] A. D. 1737.

Province of New hampshire.

In the House of Representatives.

Voted that the Comittee appointed by the Province to lay

all papers, &c. & to entertain the Comiss$^{rs}$ in the affaire of the Lines be and hereby are directed & impowered to settle the accounts of charge in that affaire (according to the Judgm$^{t}$ of the Comiss$^{rs}$) with the Comittee of the Mass$^{a}$ Bay, and to pay or receive any Ballance that shall appeare to be due, & if said Comittees cannot agree Then to give said Accounts to the Comiss$^{rs}$ and pray them to tax the same as cost.

8$^{r}$ 15$^{th}$ 1737. Sent up for concur.

Whereas the Province of the Mass$^{a}$ Bay has Entred their Appeale in form against the Judgm$^{t}$ of the Hon$^{ble}$ the Comiss$^{rs}$ in the affaire of the Lines, and for defending the same, and for Prosecuting that affaire on the part of New hampshire before his Maj$^{tie}$ in Council, And Whereas John Thomlinson of London, Esq. hath hitherto as agent managed that affaire with extraordinary care and dilligence, Therefore, in the House of Representatives, Voted, That the said John Thomlinson be and is hereby desier'd and Impowered to carry on that affaire as agent for the Province of New hampshire before his Majesty in Council.

October 15$^{th}$ 1737. James Jeffry, Clcr. Ass$^{m}$.

Whereas the affaire of the Lines Require money to carry on that affaire now before his Maj$^{tie}$ in Council, Voted, That there be £1000 in Bills of Credit Emitted & struck off on the new Plates, one Quarter part thereof on the Small Plate & three Qua$^{r}$ parts thereof on the Great Plate, & Signed off by the last signers of the Bills & put into the Treasury for the use [p. 517] afforesaid, and for a fund for payment of the same, That it be paid into the Treasury by a Tax on the Poles and Estates of the Inhabitants of this Province the one half thereof in the yeare 1738 and the other half in the yeare 1739 and that an Act be drawn up accordingly and that the same be paid into the hands of Mr. Speaker Wiggin & John Rindge Esqs. with such as the Hon$^{ble}$ the Council shall appoint to receive the same for the use aforesaid and that they render an account of the same to the Gen$^{ll}$ Assembly how Expended.

A Mess$^{a}$ p$^{r}$ Mr. Secretary that his Excell$^{y}$ adjourn'd this Ass$^{m}$ to Monday next 10 o' the clock and then Declar'd the Assembly adjourn'd accordingly.

Monday October the 17th A. D. 1737.

Votes sent up for concurrence, viz. For Mr. Thomlinson to be agent & a vote For a £1000 for paymt of the charges about the Lines.

The same Messa to Enquire after the vote of the 14th currt for signing off the £500 Blank Bills and also what was done about the account that was audited.

Mr. Secretary answered that nothing was done on the £500 and as to the account his Excellency would be here in a little time.

The vote of the House of the 15th currt Relating to our Comittees accounting with the Massa Comittee about the charges of the Comissrs &c. was sent up and a Messa to pray it may be past upon that the Comittees might proceed thereon & to pray for the account that was audited & vouchers thereon in order for the House to pass upon the same.

[P. 518.] The above vote of the 15th currt with the Councils vote thereon Relating to the Agent was sent down viz.

In the Council, October 17, 1737.

Whereas the Board has never been acquainted in form that the Massa has appealed nor that Mr. Thomlinson has hitherto mannaged the affaire of the lines with such Extraordinary care as mentioned in the above vote, and besides the said Mr. Thomlinson neither is or ever was an agent for this Province and the Council are of opinion That it is not for the Interest of this Province to Appeal or defend against any appeal made or to be made from the Judgment of the Honble Comissrs But that it is best humbly to submit the matter as it now stands to his Majties Royal Pleasure, Therefore voted a non concurrence wth the above vote.

Richd Waldron, Secy.

The Comittee appointed to lay all the Papers and Evidences before the Comissrs Bro't in a Resolve of the Court of Comissrs Relating to the vote of Exceptions of this House presented them to be filed in the words following, viz.

Province of New hampshire, October 14, 1737.

The Court met according to adjournmt &c. The Comittees or agents of the said Provinces of the Massa Bay & New hampshire appeared and the agents of the Massa presented an order of their Genll Court in the following words, viz. (se the original on file) and the exception to & the appeal of the said Province from the Judgmt of this Court touching the Boundary lines of the said Provinces which was read in the words

following, viz. (see the original on file) (1) Then the Comittee for New hampshire produced a vote of the House of Representatives of that Province [p. 519] setting forth with what parts of the Judgm$^{t}$ of this Court touching the said Boundaries the Brovince of New hampshire was agrieved at & Excepted against. (2)

To which the agents of the Mass$^{a}$ objected and took exceptions for that it was only a vote of one part of the Legislature which does not Represent the whole Province, Whereas by the Royall Commission constituting this Court the Exception to the Judgm$^{t}$ of this Court on the said Boundarys and appeal from the same ought to be taken by and come from the whole Legislature which is the Province, and after hearing the said Comittees on the objection and exception aforesaid the Court continued the matter for consideration till the next adjourn-m$^{t}$ of this Court & ordered the clerks to Inform the Committee of New hampshire of the Resolve of this Court thereon, and as the Gen$^{ll}$ Court of New hampshire is now sitting the said Comittee might apply to the Gov$^{r}$ & Council for their concurrence with the said vote if they see cause & then the Court adjourn'd to Monday next at 3 o' the clock p. m.

The above was read in the House.

Then the House adjourn'd to the 18$^{th}$ Curr$^{t}$.

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Tuesday October 18$^{th}$ A. D. 1737.

The vote of this House of the 15$^{th}$ curr$^{t}$ for signing the £500 Blanck Bills return'd nonconcurr'd and the vote for Emitting £1000 Return'd nonconcurr'd. The accounts & vouchers & Comittees Return thereon Brought down and a vote of Council of the 17$^{th}$ curr't bro't down & Read, viz.

In Council October the 17$^{th}$ 1737.

Voted, That the £500 Blank in the Treasury be signed as soon as may be by the Comittee [p. 520] that sign'd the last new Bills & Lodg'd in the Treasury for the Discharge of the Publick Debts of the Province as they are or shall become due. And moreover that £1000 be struck off of the new Plates & signed by the Comittee aforesaid & put into

(1) The Papers here referred to are not found among the Files of N. H. But the substance of them is contained in a full Report of "The Case of his Majesty's Province of New-Hampshire, upon two Appeals Relating to the Boundaries between that Province and the Province of the Massachusetts Bay. To be Heard before the Right Honorable the Lords of the Committee of his Majesty's most Honorable Privy-Council for hearing Appeals from the Plantations at the Council Chamber at Whitehall."

Signed by

D. RYDER
W. MURRAY

N. B. This important printed Document is found in the Library of the N. H. Historical Society, Concord, in folio form, pp. 8, with other matters relating to the same subject, labeled, "Bonndaries between N. H. & Mass." Ed.

(2) See the above said printed Documents. Ed.

the Treasury for the purposes aforesaid that all persons that have any demands or just claims upon the Province may be honestly and justly paid & especially that the Hon^ble Comiss^rs may be hon^bly recompenced for their time Expended upon the affaire of the Lines and that the Treasurer be and hereby is directed to pay unto each of the said Hon^ble the Comiss^rs in addition to what is already paid them so much as shall make up thirty shillings pr day for each day of theire being upon the aforesaid Business as the half part of their Recompence to be paid by the Province. And Further voted, That the whole charge of this and the last Sessions of the Gen^ll Court be defrayed out of the sum above mentioned over and above the usual allowance.

Rich^d Waldron, Sec^y

Then the House adjourned to the 19^th curr^t.

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Wednesday October the 19^th A. D. 1737.

The above vote of Council for paym^t of the Comiss^rs &c. read & nonconcurr'd.

Whereas the Comittee of the Mass^a Bay has been accounting with the Comittee of the Province of New hampshire about the charges of the affaire of the Lines according to the Judgm^t of the Hon^ble Comiss^rs & the said Mass^a Comittee say they are ready to pay the Ballances of the charges to the Comittee of New Hampshire as soon as they are Legally impower'd by the whole Legislature,—Therefore Voted, That the Comittee that mannaged that affaire of the Lines are hereby fully Impower'd to [p. 521] account with and receive or pay & Legall acquittances to give or Receive in that affaire to and w^th the Mass^a Comittee afforsaid.

James Jeffrey, Cler. Ass^m.

The accounts that were audited was read & the Return of the Comittee of audit thereon and the vote of Council thereon all read, viz.

Province of New hampshire.

We the subscribers have examined the within account and find it Right cast and well vouched by the oath of John Rindge Esq. the vouchers as on file—Dated the 14^th day of October, 1737.

Eph^m Dennet
Joseph Sherburn
Ellis Huske
Nathaniel Weare
Geo. Walton,
Committee.

In Council, 8, 18th 1737.

Whereas the Comittee chosen by the Genll Assembly to attend the Honble comissrs appointed by his Majtie for settling the Province Boundarys have presented an account to the Genll Assm amounting to £703 : 17 : 7. But not producing Receipts in support of the said account for so much as one halfe of the sum of the £500 which the said comittee have already recd. Therefore voted, that the said account ly for further consideration till sufficient and proper vouchers shall be produced to the satisfaction of the Genll Court.

Richd Waldron, Secy.

In the House of Representatives.

The articles of the within account Read and the Return of the comittee thereon and also the vote of Council thereon of 8r 17th 1737.

Voted, That the Return of the Comittee be received and that the account be accepted and the Ballance paid as soon as Provision is made for the same.

Whereas this House on the 17th day of [p. 522] August last past presented a vote for the sum of £500 for the paymt and defraying the charges that hath accrued in settling the Lines, which said vote was non-concurr'd by his Majties Council, and as this House then apprehended it was for that the charges were not bro't in to the genl assembly for allowance. since which an account of £703 : 17 : 7, part of the expence hath been laid before the genll Court and allowed by the comittee of audit of both Houses to be well vouch'd & Right cast, so that all his Majties council (Except two) hath allowed under their hands the said account to be just and Right :

Yet so it is that the said account is disallowed by a vote of his Majesty's Council, and inasmuch as the said account of Expenses seems to be just and Reasonable & every article expended according to the true Intent of the genll assembly, This House has allowed and voted the same accepted, and there will yet be wanting neare a £1000, and in as much as his Majtie in Council the 9th of February 1736, by consent of the agents of bothe Provinces did order the charges of the comission and the Execution thereof to be equally boarn by both Provinces agreeable to which the Honble Court of comissrs hath passed their judgmt, and in as much as this House thinks it a great Indignity to his Majtie and an abuse to his Majties Comissrs that have with great fatigue & trouble

attended on the said service of settling the Boundary lines if their Expences should not be paid and they Hon^bly recompensed for their time and trouble:

Therefore that the Fault may not lye at the door of this House, voted that the [P. 523] £5000 Blanck Bills—now in the Treasury be sign'd off by the [signers of the last] emission and put into the Treasury for the paym^t of £202:17:7, the Ballance of the acct. past this day in this House and the remainder of the said £500 be for paym^t of what is yet unpaid by the Comittee on the part of New hampshire to the Comiss^rs after the rate of twenty shillings pr day for each Comiss^r for each day they have been in Execution of the said Comiss^n and that for paym^t of the Clerks and surveyors as far as the said £500 will go, and that the Treasurer be directed to pay the same to the Comittee that attended the affaire of the Lines for the paym^t aforesaid as soon as may be.

And further, for paym^t of the said Comiss^rs the Clerks, Surveyors and others charges there be a new Emission of the sum of £500 struck off of the new Plates the ¼ pt. thereof on the small Plates and the other ¾ on the Large Plate & sign'd off by the same Signers that sign'd the last Emission and put into the Treasury & that the Treasurer be directed to pay the same to the Comittee aforesaid for the paym^t of the said Comiss^rs &c. as aforesaid, and that they render an account to the Gen^ll Assembly how expended in that affaire. And for a fund for paym^t of the same, That it be paid by a Tax on the Poles and Estates of the Inhabitants of this Province and paid into the Treasury—the one halfe on the 25^th of December in the yeare 1739, the other halfe on the 25^th of December, in the year 1740 and that an Act be drawn up accordingly.

8^r, 19^th, 1737.

The vote of the 19 curr^t for the Comittees of New hampshire & Mass^a to account,

The account as audited & votes thereon [P. 524] and the above vote all sent up for concurr^e.

Whereas the Hon^ble Comiss^rs have now given in their final Judgm^t and Determination on the affaire of the Lines and have received the Appeals and Exceptions of the Provinces and their is money wanting to carry on the affaire before his Maj^tie in Council,

Therefore, Voted, That besides what is mentioned in other votes of this day there be the sume of £1000 in Bills of

Credit Emitted & Struck off on the new Plates, ½ part thereof on the Small Plate & ¾ parts thereof on the Great Plate and sign'd off by the Signers that sign'd the last Emission & put into the Treasury, and that the Treasurer be directed to pay so much of the said sum of £1000 to the Comittee appointed to manage the affaire of the Lines as will purchase a Bill of Exch[a] to the vallue of £100 sterling, the remainder to lye in the Treasury for further Supply if wanted and if not wanted then to be for the paym[t] of other Debts as the Gen[ll] Assembly shall order, and that as the aforesaid Comittee is very well acquainted with all the Papers and Records relating to the affaire of the Lines that they still proceed in the affaire & transmitt the Case home to the agent with the Bill aforesaid & proper Instructions to proceed as the affaire may Require and for a fund for paym[t] of the same into the Treasury againe, That there be a Tax laid on the Poles and Estates of the Inhabitants of this Province payable into the Treasury on the 25[th] Day of December 1740, the sum of £500 and the like sum of £500 payable into the Treasury on the 25[th] day of December [P. 525] 1741, and that an Act be drawn up accordingly.

8[r] 19[th] 1737 Sent up for concurrence

Then the House adjourn'd to the 20[th] Curr[t].

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Thursday October the 20[th] A. D. 1737.

The following vote was Bro't down from the Council and Read. viz.

In Council 8[r] 20[th] 1737.

Voted That the £500 Blanck in the Treasury be imediately Sign'd off by the signers which sign'd the last Emission and put into the Treasury and that the Treasurer pay the Hon[ble] the Comiss[rs] so much out of the same as to make up twenty shillings pr day for each day of their being in the Execution of their Comiss[n] for settling the Lines.

R. Waldron, Sec[y]

The same day read in the House and non-concurr'd

The above vote of Council Read and find the Council by this vote & a former has seem'd to make Provision for paym[t] of the Hon[ble] the Comiss[rs] for each day of their being in the Execution of their Comiss[n] for settling the Lines and in neither of the votes taken any notice of the charges & pay-

m^ts^ to any of the Clerks, Surveyors, doare Keeper &c.— Which in the Judgm^t^ of the said Comiss^rs^ says shall be equally boarn by the Respective Provinces, and whereas there are votes of this House that have been some time with the Council which makes Provission as well for the officer as Comiss^rs^ (and all money Bills first proceeds from this House according to all Parliamentary proceedings) Therefore this House non-concurrs [P. 526] the above vote of Council and adheres to their own votes for the raising money for the paym^t^ of the Comiss^rs^ (who are gone before the above vote of Council came to the House) and for paym^t^ of the officers & charges accruing by Entertaining said Comiss^rs^ &c.

The vote of the House of the 19^th^ curr^t^ for the Comittees of New hampshire and Mass^a^ to account sent down non-concurr'd.

Whereas the Hon^ble^ the Council on the 17^th^ Curr^t^ sent a vote to this House "That they are of opinion that 'tis not for the interest of the Province to appeal or defend against "any appeal made or to be made from the Judgm^t^ of the "Hon^ble^ Comiss^rs^ in the affaire of the Lines, But that it is "best humbly to submit the matter as now stands to his "Maj^ties^ Royal Pleasure;" and since the Mass^a^ has made their Appeal in Form, and this House has put in their paper of Exceptions & that the agent may be well Inform'd of the matter & the proceedings about the same, and to prosecute the affaire to effect before his Maj^tie^ in Council until 'tis finally ended, And Whereas the Comittee that has managed that affaire has full knowledge of the same, Therefore *Voted*, That they are hereby fully Impower'd as this House can do to transmit all the case and further *Plaes* as the same may require to Mr. Agent Thomlinson and to prosecute & defend the same and to give him such directions & Instructions as they shall think best. Voted unanimously.

Voted on Portsmouth South Parish Petition that it be heard the 2^d^ day of the Sitting of the [P. 527] Gen. Ass^m^ next sessions.

Voted that Rye and Hampton affaire be continued to the 2^d^ day of the sitting of the Assembly next Sessions.

Whereas the Hon^ble^ Comiss^rs^ has now made an end of their Court & made up their Judgm^t^ and finall Determination from which the Mass^a^ Bay has filed their Appeale in Form, and this Province of New hampshire (That is the

Comittee by direction of the House of Representatives) has filed their Exceptions to what they tho't convenient and whereas the affaire has been attended with great expense and this House has endeavoured to Raise money on the Publick, But the Council will not come into Raising any money or to prosecute any appeal or Exception or defend against the Massachusetts Appeal: But that the affaire may not fall through after so much Expence and so faire a prospect of obtaining our desiers, This House has tho't fit to appoint & authorize the Comittee that has mannaged that affaire before the Comiss^rs^ to transmit the copys of the case home to the agent & to prosecute and defend the same to finall conclusion, and since his Maj^ties^ Council will not come into any measure to Raise money to carry on that affaire nor to pay what is already Expended, Therefore this House thinks it very reasonable to Recommend it to the several Towns in this Province for the Inhabitants to contribute what they please to carry on the affaire before his Maj^tie^ in Council (which they may put into the hands of some of their Inhabitants to be paid said Comittee for the use afforesaid) & that an Acc^t^ be kept of each man's subscription that if the Publick shall [P. 528] hereafter pay the charges each p'son may and shall receive his money againe or some other ample satisfaction.

October the 20^th^ 1737, By order of the House.

James Jeffry, Cler. Ass^m^.

A Mess^a^ pr Mr. Secretary Waldron That our Votes for supply of the Treasury was all noncurr'd by the Council, And that his Excellency Prorogued this Assembly to the first of March next.

And then Mr. Secretary declared the Assembly Prorogued accordingly.

# JOURNAL OF THE GENERAL ASSEMBLY

UNDER THE ADMINISTRATION OF

# GOVERNOR JONATHAN BELCHER,

*From August 25, 1730, to October 20, 1737.*

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[Copied from "Journal of Council and Assembly, 1729–1742," in Secretary's office.]

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[NOTE BY THE EDITOR.]

The following Records of the General Assembly from the beginning of Gov. Belcher's Administration, August 25th, 1730, to the determination of the Boundary lines by the Commissioners, or to October 20th, 1737, are very scanty. During the abovesaid period, the Council, or a majority of them, with Gov. Belcher at their head, opposed all the measures of the House in relation to the boundary lines. Consequently, the House was obliged to assume responsibility and in a degree to act independently of the Council: but with ability and persistence worthy of the cause, they carried most of their measures through, and with the aid of their wise and distinguished agent, John Thomlinson, Esq., of England, finally gained their object. In transcribing this "Journal of the General Assembly" the Editor has made an exact copy of all the proceedings, but has taken the liberty to omit the *frequent repetition* of the names of the Governor and Council, at the several sessions, instead thereof often saying, [Present as before]; to avoid *duplicating* the record, frequent reference is made to the "Journal of the House."

[P. 26.] Prov. of N. Hampr.

At a General Assembly held at Portsº by Prorogation Tuesday Augt 25, 1730.

Present

His Excellency Jonathan Belcher Esq. Govr
His Honr John Wentworth, Esq. Lt. Govr.

| | | | |
|---|---|---|---|
| Shada Walton<br>Geo. Jaffrey<br>Richd Wibird | Esqs. | Jnº Frost<br>Joth. Odiorne<br>H. Sherburne | Esqs. |

Adjd til tomorrow, 10 o'clock A. M.

Prov: N. Hamp$^{r}$. At a General Assem. held at Portsm$^{o}$, by adj$^{t}$, Wednesday, Aug$^{t}$ 26, 1730.

Present

His Excellency, Jonathan Belcher Esq. Gov$^{r}$
His Hon$^{r}$ John Wentworth Esq. Lt. Gov$^{r}$.

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton<br>Geo. Jaffrey<br>Rich$^{d}$ Wibird | Esqs. | John Frost<br>Joth. Odiorne<br>Hen. Sherburne | Esqs. |

A message to the House by the Clerk to require their attendance at the Council Board. the Speaker and House came up accordingly to whom his Excell$^{y}$ was pleased to make the following Speech of which the Speaker obtained a coppy.

[See Journal of the House, p. 562.]

[p. 30.] A Message to the Board by Messrs Walker and Jaffrey w$^{th}$ his Majesty's 32 Instruction to his Excellency relating to a fix'd Salary, and his 77$^{th}$ Instruction ab$^{t}$ settling the Divisional line of the two Provinces of New Hamp$^{r}$ and the Mass$^{a}$.

Adj. til tomorrow 10 o'clock A. M.

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Pro: of New Hamp$^{r}$. At a General Assembly held at Portsm$^{o}$ by adj'$^{t}$, Thursday, August 27, 1730

Present

His Excellency Jonathan Belcher Esq. Gov$^{r}$
His Hon$^{r}$ John Wentworth Esq. Lt. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton<br>Geo. Jaffrey<br>Rich$^{r}$ Wibird | Esqs. | Jno. Frost<br>Joth. Odiorne<br>Hen. Sherburne | Esqs. |

Messrs. McKeen & McMurphy Preferrd a Petition w$^{ch}$ was read and sent down by Capt. Odiorne.

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

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[p. 31.] Pro: of N. Hamp$^{r}$. At a General Assembly held at Portsmouth by adj$^{t}$ Fryday, Aug'$^{t}$ 28, 1730.

[Present His Excellency & Council as before.]

A message to the Board by Messrs. Dennet and Goffe with the Assembly's Answer to the Gov$^{rs}$ Speech which he took to himself together w$^{th}$ a bill for settling a salary, anothe r

Bill for adjourning the Quarter Sessions, and a vote for a Comittee of audit w^ch vote is as follows.

In the House of Represent^s.

August 28, 1730, Voted That Joshua Peirce and Theodore Atkinson Esqs. be a Comittee of this House to joyne with a Committee of the Upper House to Examine the accounts relating to the Province, and make report to the General Assembly for their approbation.

J. Jeffry, Cler. Assem.

In Coun Eod^m die Read and concurr'd, & Capt. Wibird and Capt. Sherburne appointed for the service above.

R. Waldron, Cler. Con.

A message from his Excell^y to the House in writing by Messrs Jaffry, Wibird and Odiorne, as follows:

[See Journal of the House, p. 566.]

Adj^d til tomorrow 10 o'clock A. M.

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[P. 33.] Pro: N. Hamp^r. At a General Assembly by adj't Saturday Aug^t 29^th 1730.

Present

His Excellency Jon^a Belcher Esq. Gov^r.
His Hon^r John Wentworth Esq. Lt. Gov^r.
Shad^a Walton, Geo. Jaffrey } Esqs. Rich^d Wibird, Joth Odiorne } Esqs.
H Sherburne Esq.

Adj^d til Monday next 9 oclock A. M.

---

Pro: N. Hamp^r. At a Gen^l Assem. by adj^t Monday Aug^st 31^st, 1730.

[Present His Excellency and Council as before.]

A message to the Assembly from his Hon. y^e Lt. Gov^r by Mess^rs Jaffry Wibird and Sherburne (viz.) That the Lt. Gov^r quitted all claim to any part of the Salary to be settled on his Excellency the Gov^r Pursuant to the King's Instruction and had no Expectation nor dependance on the Assembly for any allowance for the future but depend wholly on his Excellency.

[P. 34.] A message to the Board w^th the vote for a Salary, as on file, not entred because comprehended in the Act.

By the same Message the following vote,

In the House of Represen$^{ts}$.

Aug$^{st}$ 31, 1730. Whereas his Majesty hath by his 77$^{th}$ Instruction to his Excellency Governor Belcher directed to the choice of some discreet and indifferent Persons out of some of the neighboring Colonys under his Majesty's immediate Government who are to be invested with sufficient powers to draw the dividing lines and to determine the dispute between this Province and the Province of the Mass$^{a}$,

Voted, That this House in obedience to the said Instruction, and his Excellency's proposal thereon, will make choice of three such persons as therein are directed to, in case the Massachusetts Goverm$^{t}$ will do the like, in order to have the lines drawn and an end made to the said dispute as soon as possible.

J Jeffrey Cler. Assem.

In Council Eod die
Read and Concurr'd.

R Waldron Cler Con

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

Pro: N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adj$^{t}$ Tuesday Sept. 1$^{st}$, 1730

[Present—His Excellency and Council as before.]

A message to the Board by Sundry members w$^{th}$ the following allowances Pass'd both Houses.

| | |
|---|---|
| [p. 53.] To his Hon$^{r}$ the Lt. Gov$^{r}$ in full for his service, as Command$^{r}$-in-Chief for the time past | £100: |
| To Rich$^{d}$ Waldron for his service, as Cler. Con. one year ending 25$^{th}$ April, 1730 | £ 75: |
| To Theo. Atkinson, Esq. for service as Sher. one year ending y$^{e}$ 1$^{st}$ of May, 1730, £15 and £7 : 4 for returning Jurors | £ 22: 4 |
| To William Fellows for Public Expences, | £ 3: 10: 8 |
| To Benj. Akerman for service as doorkeep$^{r}$, 1729, | £ 10: : |

A message to the House to require their attend$^{a}$ at the Council Board, the Speaker and House came up accordingly, and the Bills whose titles are under written having had their several readings & been pass'd in both Houses the same were sign'd and seal'd in Presence of the General assembly, viz.

1$^{st}$ An act for settling a Salary of two hundred pounds sterling or six hundred pounds Province Bills of Credit pr

annum on his Excellency Jonathan Belcher, Esq. Governor and Command$^{r}$ in Chief in and over the Province aforesaid.

2$^{d}$ An act for Emitting the sum of thirteen hundred pounds in bills of Credit on this Province

3$^{d}$ An act for adjourning the Court of Gen$^{l}$ Quarter Sessions of the Peace.

Then by his Excellency's order the Gen$^{l}$ assembly was

Prorogued
To y$^{e}$ 19$^{th}$ Nov$^{r}$ next.

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[p. 36.] Pro: N. Hamp$^{r}$.

At a General Assembly held at Portsm$^{o}$ by Prorogation Thursday Nov$^{r}$ 19, 1730.

Present
His Excellency Jonathan Belcher Esq Gov$^{r}$
His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs. Joth Odiorne, Hen: Sherburne } Esqs

A message to the House by the Clerk from his Excell$^{y}$ to require their attendance at the Board The Speaker and House came up accordingly to whom his Excell$^{y}$ was pleased to make the following Speech:

[See Journal of the House, p. 573.]

[p. 37.] The Speaker Pray'd a copy of y$^{e}$ foregoing Speech w$^{ch}$ was granted (and afterward sent down by the Clerk).

Then the House w$^{th}$drew

A message to his Excelly by Messrs Peirce and Atkinson praying to be informed how far the Gen$^{l}$ Assem of the Mass$^{a}$ had proceeded in y$^{e}$ choice of Comiss$^{rs}$ to settle the line.

His Excell$^{y}$ answered they had chose three Persons.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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[p. 38.] Pro: of N. Hamp$^{r}$. At a General Assembly held at Portsmouth by adjournment Fryday Nov$^{r}$ 20$^{th}$ 1730.

Present
His Excellency Jonathan Belcher Esq Gov$^{r}$
His Honor John Wentworth Esq Lt Gov$^{r}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs. Joth. Odiorne, Hen. Sherburne } Esqs

A message from his Excellency to the House in writing pr the Clerk as follows,

*Gent. of the House of Represents,*

The affair of the line is of such consequence to the Peace of this Province that I hope you will let nothing postpone your consideration of it and as the Mass$^{a}$ have chosen three Gent$^{n}$ of unexceptionable knowledge and integrity I should think it would be wise in this Assembly to agree to the choice they have made, and to add to them two more in which I should not doubt a hearty concurrence of the Mass$^{a}$ and it must doubtless give the best prospect of success if both Assemblys agree in the same men. I hope and believe you will so proceed as that y$^{e}$ world may see you are sincerely desirous to see a happy issue of this uncomfortable affair. J. BELCHER.

A message to the Board by Mess$^{rs}$ Mathes and Stevens with a vote for Commissioners to settle the boundary lines w$^{ch}$ was read and return'd & a vote of Council relating thereto sent down by y$^{e}$ same message, viz. Messrs Odiorne, Sherburne & y$^{e}$ Clerk.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Pro: of N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adj$^{t}$ Saturday Nov$^{r}$ 21$^{st}$ 1730.

[Present as before.]

[P. 39.] A message to the Board by Messrs Goffe and Stevens w$^{th}$ the vote of Council ab$^{t}$ y$^{e}$ line sent down yesterday, and a new vote of the house relating to the same affair.

A message to the House by Messrs. Odiorne and Sherburn to propose a Conferrence on Monday next at 4 o'clock P. M. which y$^{e}$ House consented to.

A message to the House by y$^{e}$ Cler. to adjourn them til Monday next 4 o'clock P. M.

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Pro: of N. Hamp$^{r}$. At a General Assembly held at Portsmouth by adjournment Monday Nov$^{r}$ 23, 1730.

[Present as before.]

A message to the House by the Clerk to notify them that the Council were ready for the Conference proposed a Saturday last on the subject matter of settling the boundaries between this & y$^{e}$ Mass$^{a}$.

The Speak$^{r}$ and house attended at the Board, and having fully discoursed the affair, withdrew.

Adjourned til tomorrow, 10 oclock, A. M.

Pro: of N. Hamp$^{r}$.

At a General Assembly held at Portsm$^{o}$ by adj$^{t}$ Tuesday Nov$^{r}$ 24$^{th}$ 1730.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$
His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$
Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs
Joth Odiorne, H. Sherburne } Esqs

A message to the Board, w$^{th}$ a vote for chusing Comiss$^{rs}$ &c. to settle y$^{e}$ line w$^{ch}$ was concurr'd & is comprehended in y$^{e}$ act y$^{e}$ s$^{d}$ vote is on file.

[P. 40.] By the same message the following votes:

In the House of Represe$^{ts}$.
Nov$^{r}$ 24$^{th}$ 1730.

Voted That Josh$^{a}$ Peirce and Theo. Atkinson Esq. be a Committe of this House to Joyne w$^{th}$ a Committe of y$^{e}$ Upper House to Examine the accounts relating to the Province and make report to the Gen$^{l}$ Assem for approbation

J Jeffry Cler Assem

In Coun Eod die

Read and Concurr'd and Henry Sherburne Esq. appointed for the service above.

R Waldron Cler Con.

I assent to the above vote

J. Belcher.

In the House of Represen$^{ts}$. Nov. 24$^{th}$ 1730.

Voted, That Mr. Speaker Wiggin, Nath$^{l}$ Weare Esq. and Mr. Bart$^{w}$ Thing be a committee of this House to joyn with a committe of the upper House, to Examine the Table of fees, and Rectify it & make return to the gen$^{l}$. assembly for approbation.

James Jeffry cl$^{r}$. ass$^{m}$

In Coun. Eod die.

Read and concurr'd and Messrs. Walton, Wibird and Odiorne appointed for the service above.

R. Waldron Cler Con.

I assent to the above vote.

Nov. 25. J. Belcher,

Adj$^{d}$. til tomorrow 10 o'clock A. M.

Pro: of N. Ham$^{r}$.

At a gen$^{l}$. assembly held at Portsm$^{o}$, by adj$^{t}$.
Wednesday, Nov. 25$^{th}$ 1730.

[Present as before]

A message to the Board w$^{th}$ a vote for altering y$^{e}$ Place of y$^{e}$ Courts sitting, & preparing a bill w$^{ch}$ was concurred—as on file. The s$^{d}$ vote is comprehended in the act.

[P. 41.] By the same message the following vote.

In the House of Representatives, Nov. 25, 1730.

Voted, That the Province Tax for the yeare 1731, be paid into the Treasury in the same Proportion that was last settled, and that the Treasurer Issue out his warrants to the several Towns and Districts accordingly.

J. Jeffry cl$^{r}$. ass$^{m}$

In Coun Eod die
Read and concurr'd. R. Waldron, Cler Con.

I assent to the above vote.
9$^{r}$ 25, J. Belcher.

Adj$^{d}$ til to-morrow 10 o'clock A. M.

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Pro: of N. Hamp$^{r}$,

At a Gen$^{l}$ assem. held at Portsm$^{o}$, by adjournm$^{t}$
Thursday, Nov. 26, 1730.

Present

His Excellency Jonathan Belcher, Esq. Gov$^{r}$.
His Hon$^{r}$. John Wentworth Esq. Lt Gov$^{r}$.

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs
Joth. Odiorne, H. Sherburne } Esqs

The Boston Deacons preferred a Petition Praying for y$^{e}$ Exchange of this Province broken bills at Boston. Read and laid aside.

A message to the Board w$^{th}$ a bill for appointing Commissioners past both Houses.

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

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Pro: of N. Hamp$^{r}$.

At a gen$^{l}$. assembly held at Portsm$^{o}$ by adjournm$^{t}$.
Fryday Nov$^{r}$ 27, 1780.

[Present as before.]

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

[p. 42.] Pro: of N. Hamp$^{r}$.

At a general assembly held at Portsmouth by adj$^{t}$ Saturday Nov. 28$^{th}$ 1730.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$.
His Hon$^{r}$. John Wentworth Esq Lt Gov$^{r}$.
Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs
Joth. Odiorne, Hen. Sherburne } Esqs

His Excellency was pleased to send the following message to the House in writing by the clerk.

[See Journal of the House p. 579.]

[p. 45.] The Committee appointed to examine Dover Town book made their Report this day as on file. (See p. 20, 21 of Journal.)

The Committee appointed to report the Proper boundarys between the Parish of Hampton old & Rye, made their Report this day as on file w$^{ch}$ produced the following votes of gen$^{l}$. assembly.

In the House of Represen$^{ts}$.

Upon the hearing the Persons concerned in the Rye Petition for a line towards Hampton (vide page 19, 20,) and upon hearing the partys of Rye and Hampton and their arguments, both agreeing on the draught Voted That there shall be added to the Parish of Rye by a line beginning at David Smith's lot at Portsmouth line and to run westw$^{d}$ as said Smiths lot runs the length of the first North Division in Hampton taking in the said Smiths lot and to run westward one quarter of a mile towards Hampton as the lotts called the quarter of a mile lotts run and then to run down to the sea at the westerly end of the said quarter of a mile lotts taking the Jenniss and Philbrick's land to the sea, and the Persons and Estates within these lines to belong to Rye to all intents and purposes.

James Jeffry Cler. ass$^{m}$

Upon reconsidering the above vote,

Voted That this addition be made to the above vote (viz.) That the Estates of Joseph Brown James Fuller Jos. Marston and Francis Lock which lye in the first north Division in Hampton do pay to the Parish of Rye all taxes thereon,

James Jeffry Cler. ass$^{m}$

[P. 46.] In Council, Nov. 28, 1730.
Read and concurr'd w^th^ the foregoing votes.
Rich Waldron Cler. Con.
I assent to the preceding votes
9^r^ 28, J. BELCHER.

Upon the Petition of Stephen Batchelour,
In the House of Represent^s^ Nov. 27, 1730.
Voted, That the said Stephen Batchelour be hereby dismiss'd from paying to the Parish of Rye any Rates or Taxes.
James Jeffry Cler ass^m^
In Coun. Nov. 28, 1730.
R Waldron Cler. Con.
I assent to the above votes.
9^r^ 28, J. BELCHER.
Ad'^d^ til Monday 10 o'clock A. M.

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Pro: of N. Hamp^r^.
At a gen^l^. assembly held at Portsm^o^ by adj^t^
Monday Nov. 30^th^ 1730
[Present as Before]
Adj^d^. til tomorrow, 10 o'clock A. M.

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Pro: of N. Hamp^r^
At a Gen^l^ Assembly held at Portsm^o^ by Adj^t^ Tuesday, Dec. 1^st^ 1730.

Present

His Excellency Jonathan Belcher Esq Gov^r^
His Hon^r^ John Wentworth Esq Lt Gov^r^
Shad^a^ Walton, Rich^d^ Wibird } Esqs
Joth Odiorne, Hen Sherburn } Esqs.

The Selectmen Preferr'd a Petition praying to have a Represen^t^ for their Parish read and dismiss'd—viz. Parish of Greenland.

[P. 47.] A message to the Board w^th^ sundry votes and allowances as follow—Passed both Houses.

| | |
|---|---|
| To the Judges of the Sup^r^ Court for Extraordinary time of y^e^ Tryal of Ambler, &c. | £10 : 0 : 0 |
| To Paul Gerrish, Esq. for service on y^t^ affair, | £ 2 : 0 : 0 |
| To Each Juror 2*s* pr day on same acct. | |
| To Jam^s^ Jeffry for a years service as Cler Assem ending Nov. 19^th^ 1730 | £15 : 0 : 0 |

In the House of Represent$^{s}$ Dec. 1, 1730.

Voted, That Joshua Peirce, Esq. be recorder of Deeds for the Province of New Hampshire, for one year from the date hereof and until the end of the next sitting of the Assembly after the year is ended and that he enter upon the several deeds he records and Copys he gives out the Price he takes for the same. Jam Jeffry Cler Assem.

In Coun Eod. die
Read and Concurr'd R Waldron Cler Con.

I assent to the above vote. J. Belcher.

His Excellency was pleased this day to appoint Richard Waldron, (1) Sec$^{ry}$ and accordingly signed his Commission

In Coun. Dec. 1, 1730.

Upon reading the report of the Committee appointed to examine Dover Town-book.

Voted, That another Committe be chosen to make a more Exact and particular Inquiry into the several grants and returns in said book, supposed to be corrupt and vicious; and that they have full power to summon & examine [p. 48] any Person or Persons upon oath, in order to discover the truth as far as may be, and any Person or Per-

(1) Richard Waldron [jun.] above named as Secretary, was the son of Richard Waldron Esq. who died Mar. 30, 1730, aged 80, and grandson of Major Richard Waldron, of Dover, who was killed by the Indians, 1689. He was born February 21, 1694, and graduated at Harvard College in 1712. He first resided on his paternal estate in Dover, but removed afterward to Portsmouth, and lived on the plains. On the decease of his father he was appointed Secretary of the Province and soon after, Councilor. In 1737 he was appointed Judge of Probate. He retained these offices as long as Gov. Belcher was in office; but, soon after Governor Benning Wentworth commenced his administration, he suspended Mr. Waldron as Councilor, removed him from office, and appointed Theodore Atkinson Secretary, and Andrew Wiggin, Judge of Probate. In 1749, he was elected a representative of Hampton, and when the Assembly met, was unanimously chosen Speaker but was not accepted by Gov. Benning Wentworth; hence arose a conflict between Gov. Wentworth and the Assembly, and a conspiracy to remove the Gov$^{r}$ from office. Mr. Waldron was a person of distinguished talents and literary acquirements. A strong friendship existed between him and Governor Belcher, which continued through life. He died in 1753, aged 59.

[Note. Many of Gov. Belcher's letters to Mr. Waldron, and copies of Waldron's letters to the Governor, are preserved in the Archives of the N. H. Hist. Soc ] Ed.

sons duly convened by summon before the said Comitte, & refusing to declare upon oath what he or they know of the affair, shall be comitted to prison by s^d^ Comitte, or the major part of them, there to remain til they comply to take their oaths, and that then the said Comitte give publick notice on all the meeting houses in Dover (with convenient time for all persons that have any claims to any land by virtue of the aforesaid supposed vicious grants or returns) to make out the same before the said Comittee, at a certain day, and when the s^d^ Comittee have made a strict examination in the Town-book & fully heard all the claimers upon their Grants & returns, then to make a particular report how many corrupt & vicious grants and returns they find on the said book, with the dates thereof, in what folios of the book they stand recorded, and who are the respective grantees, & what quantity of acres is mention'd in each grant & return, in order to the General Assembly's proceeding thereon as to justice doth appertain; and that Mr. Odiorn and Mr. Sherburne be of the Comitte from the Council to joyn with such as the House shall appoint to Act in the above affair.

R. Waldron, Sec^y^.

In the House of Represent^s^.
Eod. die.

The above vote was read and concurr'd, w^th^ this Amendment, That the whole Town of Dover pay the charge of the Comitte, and that Nath^l^ Weare & Theod^re^ Atkinson, Esq. be a Comitte of this House to joyne w^th^ the above Comittee to act in the above affaire.

Jam. Jeffry, Clcr. Assem.

In Coun. Eod. die.
Concurr'd w^th^ the foregoing amendm^t^

R. Waldron, Sec^y^

I assent to the foregoing votes. J. Belcher.

Auditors Report viz. That there is due from the Province to the following Persons the Sums set against their names:

| | |
|---|---|
| To Benj^a^ Rust for Expences at the Governours arrival in full | £ 7 : 5 : 5 |
| To Josh^a^ Wingate for ut Supra | £64 : 5 : 3 |
| To John Newmarch for repairing the fort boat | £ 5 : : |
| Thomas Deans Acount by reason of its long standing, referr'd to the General Assembly | |
| To John Robinson for work at the Fort in full (If no part before paid) | £29 : 9 : 0 |

The above allowed by the General Assembly

R. Waldron, Sec^y^

The Committe appointed to examine the Table of fees reported, that it would be proper to make an addition to them, &c. which was accepted, and the addition which they proposed is comprehended in the Act.

In Answer to the Petition of Salathiel Denbow, praying for some allowance in consideration of a wound he received in the late Warr, and likewise for the restoration of a Gun taken from him:

In the House of Represen$^{ts}$

Voted, That the Petitioner be paid out of the Publick Treasury for this year the sum of ten pounds; and five pounds [P. 50] for seven years next ensuing, if he so long live, and that he has his gun given him out of the stores and that his Excellency is desired to give orders accordingly.

Dec. 1, 1730. Jam$^{s}$ Jeffrey Cler Assm.

In Coun. Eod. die.

Read and concurr'd R Waldron Sec$^{y}$

I assent to the above vote

Dec. 1. J. BELCHER.

A vote for an allowance to Benj$^{a}$ Rust for house room &c. being bro't up was read but non-concurr'd as on file.

The Selectmen of Portsmouth laid a representation before his Excellency and the Council, from the Court of General Quarter Sessions of the Peace (pursuant to a Law of the Province) humbly showing that the sum of seven pounds nineteen shillings was due from the Province to the said Town of Portsmouth:—Whereupon, It was ordered that a warr$^{t}$ be made out on the Treasury for the same; which was done accordingly.

Adjourn'd til tomorrow, 10 o'clock A. M.

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Pro: of N. Hamp$^{r}$

At a General Assembly held at Portsm$^{o}$, by adjournm$^{t}$, Wednesday Dec. 2$^{d}$ 1730.

Present

His Excellency Jonathan Belcher Esq. Gov$^{r}$

His Hon$^{r}$ John Wentworth Esq Lt Gov$^{r}$

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs. Jotham Odiorne, Hen. Sherburne } Esqs.

[P. 51.] His Excellency was pleased this day to communicate to the Board a letter from Thomas Westbrook Esq.

shewing forth that he the said Westbrook had removed his residence from this Province into the County of York and therefore humbly *humbly* praying a dismission from the Council in said Province: Which his Excellency was pleased to grant; and then observing, That as there were but six Councillors now in the Province (exclusive of the Lieut. Govr) and two of them being confined by bodily indisposition, and one of them so bad that it was not likely he would be ever able to give a constant attendance at the Board again, was pleased to propose the admission of another member & accordingly nominated Richard Waldron Esq. whom (Pursuant to his Majesty's Commission and Instructions to his Excellency in such cases) his Excellency was pleased to admit after his taking the proper oaths, which were administer'd by Jotham Odiorne and Henry Sherburne, Esqs. and then the said Waldron took his place at the Board accordingly.

A message to the House by Henry Sherburne, Esq. with a vote of Council for a Committe to draft an Address to his Majesty which was return'd and is as follows:

In Council, Dec. 2d 1730.

Voted, That there be an Address of thanks to his Majesty in favour of his Excellency the Govr &c. and that Richd Wibird and Richd Waldron, Esqs be of the Committe from the Council to joyn with such as the House shall chuse to make a draft of the said Address and when it is drafted and engross'd to be signed by the Secretary in behalf of the Council and by the Speaker in behalf [p. 52] of the Representatives in the recess of the Court.

R Waldron Secy

In the House of Represents Eod. die.

Read and concurr'd, and voted, that Theodore Atkinson Esq. and Mr. Epha Dennet be a Comitte from this House to joyn with the above for the end abovesaid.

Jams Jeffry Cler Assem.

I assent to the above vote.

J. Belcher.

A message to the Board with the following votes.

In the House of Represents

Voted That his Excellency draw his next half year's

Salary when the first half year ends, (the 25th (1) Febry next, and so half yearly.

Dec. 2d, 1730. James Jeffry Cler Assm.

Read and Concurr'd R. Waldron Secy

I assent to the above vote.

J. Belcher.

In the House of Represents

Voted That Theodore Atkinson and Josha Peirce Esqs be a Committe of this house to joyn with a Committe of the upper house to draw up all the Acts now to be drawn.

Dec. 2d 1732.(2) Jams Jeffry Cler Assem.

In Coun. Eod die

Read and Concurr'd and Richd Wibird Esq. and Jotham Odiorne Esqs. appointed for the service above.

[P. 53.] R. Waldron Secy.

I assent to the above vote.

J. Belcher.

In the House of Represents.

Voted—That there by sign'd off by those signers already appointed, the sum of seven hundred pounds of the new Bills already impress'd, and by those signers put into the Publick Treasury for the defreying the charges on the Province lines and other charges as the Assembly shall direct, and to repay the same that it be raised by a tax on the Polls and Estates of the Inhabitants of this Province in the year 1741 and when bro't into the Treasury to be burnt in Presence of the General Assembly and that an Act be drawn up accordingly.

Dec. 2d, 1730. Jams Jeffry Cler Assm.

In Coun. Eod. die.

Read and concurr'd R. Waldron Secy.

I assent to the above vote.

J. Belcher.

A message to the Board with a vote of the House for Postponeing the paymt of the outstanding Bills [P. 54] and the emission of six thousand pounds for repairing the fortifications, and building a Court House at Portsmouth; whereupon his Excellency produced his Instructions prohibiting

(1) In Journ. of the House, 24th. [Ed.

(2) Probably an error of the Clerk. (1730?)

his assent to any bill for the Emission of any more paper currency, except for the support of the government, as also requireing him to take especial care that the outstanding Bills be call'd in and sunk according to the Periods and Provisions of the respective acts by which they were Issued: However, his Excellency was pleased to acquaint the Board That if they tho't the scheme of the House would be for the Interest of the Province and saw meet to have a proper Bill drawn and vote a concurrence upon it he would readily sign it with a saving clause that it should not take effect 'til his Majesties Pleasure should be known, or send it home without his signing and use his best Interest for leave to sign it: and accordingly a Bill was prepared and Pass'd both Houses, & his Excellency had a copy of it to send home in ord$^{r}$ to obtain his Majestys leave for signing the same.

Adjourn'd til tomorrow, 10 o'clock, A. M.

---

Pro: of N. Hamp$^{r}$. At a general assembly held at Portsm$^{o}$ by adjournm$^{t}$ Dec$^{r}$ 3$^{d}$ 1730.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$.

His Hon$^{r}$. John Wentworth, Esq Lt. Gov$^{r}$.

Shad$^{a}$ Walton, Rich$^{d}$ Wibird } Esqs — Joth. Odiorne, Henry Sherburne.

The Committe appointed yesterday to make the draft of an address to his Majesty this day [P. 55] reported the same which was accepted by both Houses & is as follows:

[See Journal of the House p. 584.]

[P. 57.] A message to the House by the Secretary to require their attendance at the Council Board. The Speaker and House came up accordingly and the several Bills, whose titles are as follows, being sign'd and seal'd in Presence of the general assembly (as also the foregoing Address) viz.

An act for adjourning the Court of General Quarter Sessions of the Peace.

An Act in addition to an act made and Passed in January 1715, Entituled an Act for the inspecting and suppressing disorders in licensed houses.

An act appointing Commissioners to settle the boundaries between his Majestys Provinces of New Hampshire and the Mass$^{a}$ Bay.

[p. 58.] An Act in addition to an Act, Entituled an Act for regulating Fees.

An Act for the Emitting seven hundred pounds paper Bills.

An act for removing three of the Courts of General Quarter Sessions of the Peace and Inferior Court of Common Pleas from Portsmouth to Exeter, Hampton and Dover.

His Excelleney was pleased to declare that as he should have no opportunity of seeing the Present Assembly again til the term of their continuance would expire by law, he thought proper now to disolve and accordingly they were in his Majesty's name.

DISSOLVED.

His Excellency was pleased this day to nominate and appoint (in Council) the civil officers for this his Majestys Province acquainting the Council at the same time, that altho' the nomination and appointments appertained to him yet he should readily give ear to any objections, that his Majestys Council should ever make to such nominations and give them their due consideration and full weight. Then his Excellency Proceeded to sign the Comissions for the Superiour Court, Inferior Court & y^e^ Peace, likewise the Commissions for High Sheriff & Coroners.

His Excellency was pleased to Propose the Issuing a Precept for a new assembly, which the Council advised to when his Excellency should think proper.

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[p. 59.] Pro: of New Hampshire.

At a general assembly held at Portsmouth Feb^y^ 3^d^ 1730–1.

Present

His Hon. Shad^a^ Walton Esq Presid^t^.

| | | |
|---|---|---|
| Geo. Jaffrey Esq | Hen Sherburn | Esqs |
| Jotham Odiorne | Rich^d^ Waldron | |

Mr. Sheriff Atkinson made return of the Kings Precept for electing an Assembly with y^e^ names of the Persons Elected to serve &c which are as follows.

| | | | |
|---|---|---|---|
| Portsm^o^ | Capt. Jno. Rindge | | |
| | Jam^s^ Clarkson Esq. | Theo. Atkinson | New Castle & Rye. |
| | Josh^a^ Peirce Esq. | Rich^d^ Jennis | |
| Hampton | Capt. Jos^a^ Winget | | |
| | Mr. Jn^o^. Sanburne. | Eben Stevens, Kingston | |

| | | |
|---|---|---|
| Dover | Paul Gerrish, Esq.<br>Capt. Fran[s] Mathes | Mr. Geo. Walton Newington |
| | Capt. Tho. Millet | |
| Exeter | Mr. Barth Thing | And[w] Wiggin Esq. Streath[m] |
| | Mr. Benj[a] Thing | John McMurphy, Lond[o]-Derry. |

Pursuant to his Excellency's direction Mr. President Walton caused the Proper Oaths to be administered to the persons above named, and then directed them to chuse a Speaker, which they did, and Presented And[w] Wiggin Esq after which Mr. Presid[t] agreeable to his Excellency's order, Prorogued the Gen[l] Assem to the 29[th] April next & accordingly they were

PROROGUED.

---

[P. 61.] Province of New Hampshire,

Anno quarto Regni Regis Goergii 2[di].

At a Council and General Assembly held at Portsm[o] by adj[t] Thursday April 29[th] 1731.

Present in Council,

His Excellency Jonathan Belcher, Esq. Gov[r]

| | | | |
|---|---|---|---|
| Shad[a] Walton<br>Geo. Jaffrey<br>Rich[d] Wibird | Esqs. | Joth Odiorne<br>Hen. Sherburne<br>Rich[d] Waldron | Esqs. |

A message to his Excellency by Mr. Atkinson to acquaint his Excellency that a Quo[rm] of the Representatives was conven'd.

A message to the House from his Excellency pr y[e] Sec[y] to require their attend[a] at the Council Board the speak[r] and House came up accordingly, To whom his Excellency made a Speech a copy of which the Speak[r] obtained of his Excellency and

Then he and the House returned to their own Chamber. The Speech is as follows:

[See Journal of the House, p.589.]

Adj. til tomorrow 9 o'clock A. M.

Met according to adjournm$^{t}$, April 30$^{th}$ 1731 being Fryday.

Present in Council

His Excellency Jonathan Belcher, Esq Gov$^{r}$

Shad$^{a}$ Walton, Geo. Jaffrey, } Esqs. Rich$^{d}$ Wibird, Henry Sherburne } Esqs

Rich'd Waldron Esq.

Dame Sarah Plaisted (1) preferr'd a Petition as adm$^{x}$ on the Estate of the Rev$^{d}$ Mr. Nath$^{l}$ Rogers, Dec$^{d}$ Praying for an [p. 62] allowance for the late Gov Dudleys former subsistance which was read and recommended & sent down by the Secretary and the same was returned to the board by Messrs Thing and Walton—voted to be dismiss'd.

A message to his Excell$^{y}$ by Mr. Thing to acquaint him that a member of the House who had not taken the oaths was now giving his attendance and praying he might be sworn: accordingly Geo. Jaffrey Henry Sherburne Esq. and the Secretary were sent down to adm$^{r}$ the s'd oaths to the said member viz. Capt Francis Mathes.

P. M. Capt. Rich$^{d}$ Jennes Preferr'd a Petition in behalf of Francis Lock & others praying for guns &c which was read. Adj$^{d}$ til tomorrow 9 o'clock, A. M.

(1) NOTE. In the proceeding pages of this volume (as also in vols. II and III) the name of *Plaisted*, particularly that of Col. John Plaisted, frequently occurs. Since those pages were struck off, the Editor has received from a correspondent the following notice of Col. Plaisted:

COL. JOHN PLAISTED was the son of Lt. Roger Plaisted, of Kittery, in the Province of Maine, who, with two of his sons, was killed by the Indians, Oct. 17, 1675. Jn. was born about 1660. His father was a Lieutenant under the authority of Mass., and had command of the Garrison at Salmon Falls at the time he was killed. He had been a Judge upon the Bench of Common Pleas for York County twelve years; a Representative from Kittery to the General Court, at Boston, five years, and "was highly respected for his uncommon valor, worth and piety."

Col. John P. went to Portsmouth about 1679. He married in 1685 Mary, daughter of Capt. John and Mary (Stanyan) Pickering. He was Judge of the Superior Court of N. H. twenty years, 1699 to 1719; Chief Just. in 1716. He was member of the Royal Council from 1702 to 1716. Was many years member of the N. H. Assembly, between 1692 and 1727, and Speaker of that body in 1696, 1717 and 1727.

Col. P. was an officer of distinction during the Indian Wars, from 1690 to 1712. He was the brother of Capts. Ichabod and James Plaisted, and father of Capt. Elisha Plaisted, of Berwick, Me. No other name at this period in the Province of Maine was more distinguished for military intrepidity than that of Plaisted. The children of Col. Plaisted were John, Joshua, Mary, Elisha, James and Mehitable. He died at the age of about 85 years.

[*Letter from H. M. Plaisted, Esq., Bangor, Me.*] ED.

[Province of New Hampshr.]

Anno Regni Regis Georgii 2di 4to.

At a General Assembly by adjournment Saturday May 2d 1731.

Present in Council

Geo. Jaffrey, Henry Sherburne, Richd Waldron, Esqs.

Adjd til Monday next at noon.

---

Province of New Hampshr. Met according to adjournmt Monday May 3, 1731.

Present in Council

His Excellency Jona Belcher Esq. Govr

| | | | |
|---|---|---|---|
| Shada Walton<br>Geo. Jaffrey<br>Richd Wibird | Esqs | Joth Odiorne<br>Hen: Sherburne<br>Richd Waldron | Esqs |

[p. 63.] A message to the Board by Messrs Jennes & Mc-Murphy with a vote for a Comittee of audit. Pr Messrs Walton and Thing an allowance to B. Rust and a Committee to number the Bills to be burnt.

Peter Varney & others Quakers presented a Petition exempt ym from collecting Ministers rates wch which was read, voted upon and sent down pr the Secretary.

Capt Millet presented a Petition praying for a Gate to be allowed at Hilton's Point which was voted upon, read and sent down by the Secretary.

A message to the Board by Messrs Barthw Thing & Rindge with an answer to the Governor's Speech.

A message to the Board by Mr. Sanborn wth Capt. Millet's Petition & vote thereon concurr'd wth.

Adjd til tomorrow 9 o'clock A. M.

---

Pro: N. Hampr. Met according to adjournmt, Tuesday May 4th 1731.

Present in Council as before.

Saml Graves preferr'd a Petition to the Genl Assem. wch was read at the Board & sent down recommended.

Adjd til tomorrow 9 o'clock A. M.

Pro: N. Hamp$^{r}$. Anno Regni Rs. Georgii 2$^{di}$ 4to.

Met according to adjournm$^{t}$ Wednesday May 5$^{th}$ 1731.

[P. 64.] Present as before.

The Quakers Petition & vote sent down the 3$^{d}$ inst. return'd concurr'd and

By the same Message Graves Petition w$^{th}$ a vote thereon.

The Fort soldiers preferr'd a Petition for an addition to their salary,—Read, recommended to the House & sent down by the Secretary.

Tho$^{s}$ Marston and others preferr'd a Petition for a new Township in the Waste lands read.

The Petition of Francis Lock and others preferrd the 30$^{th}$ April by Richard Jennes for Guns &c. w$^{th}$ an affidavit relating thereto sent down by the Secretary.

A message to the Board by Messrs Peirce, Rindge and Sanburn w$^{th}$ a vote of the House for £40,000.

Joseph Jones preferr'd a Petition ab$^{t}$ Oyster River line w$^{ch}$ was read and sent down by the Secretary.

Adj$^{d}$ til tomorrow 9 o'clock A. M.

---

Pro: of N. Hamp$^{r}$.

Met according to adjourm$^{t}$ Thursday May 6$^{th}$ 1731.

Present

His Excellency Jonathan Belcher Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton<br>George Jaffrey<br>Rich$^{d}$ Wibird | Esqs. | Joth. Odiorn<br>Hen. Sherburne<br>Richard Waldron | Esqs. |

A Message to the Board by Messrs. Stevens and Jennis w$^{th}$ y$^{e}$ Petition of the Fort Soldiers, Voted to be dismissed—[P. 65] and an account of Mr. Packer for the use of the Court House &c. also, Voted to be dismissed both w$^{ch}$ votes were sent back by Col Walton and Mr. Jaffrey for reconsideration.

Ordered that Marston's and Toles Petition for a new Township lye und$^{r}$ consideration till next session.

A message to the Board w$^{th}$ a vote of y$^{e}$ House ab$^{t}$ settling y$^{e}$ line, w$^{ch}$ was read and non-concurred & a vote of Coun: was past relating to the affaire & sent down pr Mr. Odiorne.

A Message to the Board by Maj Winget w$^{th}$ Jones' Petition and vote thereon w$^{ch}$ was concurr'd.

The Petition of Capt. Millet preferr'd the 3$^{d}$ instant was read and no objection made by the selectmen of Dover.

The Report of the Committee about Dover Town Book read, sent down by the Secretary.

A message to the Board by Mr. McMurphy w^th^ a vote ab^t^ y^e^ rates for the new Towns &c.

A message to the house by Col. Walton w^th^ Pet^n^ of Samuel Graves & vote thereon nonconcurred by the Coun: & a message from the Council ab^t^ an agent & subscription. Answer returned pr Sanburn & 2 others.

The Petition of the Proprietors of Chichester praying for a further time to perform y^e^ Conditions of their Charter—one year granted.

Adj til tomorrow 9 o'clock A. M.

---

Pro: N. Hamp^r^.

[P. 66.] Met according to adjournment, May 7^th^ 1731 being Fryday.

Present

His Excellency Jona. Belcher, Esq. Gov^r^.

| | | | |
|---|---|---|---|
| Shad^a^ Walton | | Joth. Odiorne | |
| Geo. Jaffrey | Esqs. | Hen. Sherburne | Esq . |
| Rich^d^ Wibird | | Rich^d^ Waldron | |

A message to the Board by Messrs. Atkinson and Clarkson w^th^ a vote about Dover Town Book, & likewise the petition of Samuel Graves w^th^ the votes thereon which they prayed the Council to reconsider.

[The Records here appear to be very imperfect, as follows:] Ed.

"Alter Sup^r^ Court, Sup. Court: Mill^ts^ Gate: Rate ab^t^
New Towns: Quakers.
Adj^d^ til tomorrow 9.
Met Saturday y^e^ 8^th^ May Present as before.
Sec^y^ Instructions left by Gov^r^.
Adj^d^ til Monday next
Met a Monday, y^e^ 10^th^ & Present as before
Pass'd sundrys of y^s^ date
Prorogued to y^e^ 1^st^ day of July next."

---

Pro. of N. Hamp^r^.

[P. 67.] At a General Assembly held at Portsm^o^ by Prorog^a^ Wednesday Sept 15^th^ 1731.

Present

His Excellency Jon^a^ Belcher Esq Gov^r^

| | | | |
|---|---|---|---|
| Shad^a^ Walton | | Joth^m^ Odiorne | |
| Geo. Jaffrey | Esqs. | Hen. Sherburne | Esqs. |
| Rich^d^ Wibird | | Rich^d^ Waldron | |

A message to the house from his Excellency by the Sec$^{y}$ to inquire whether there was a Quorum—who answered yes.

A message to the House by Geo. Jaffrey and Joth$^{m}$ Odiorn Esqs to require their attendance at the Council Board the Speak$^{r}$ and House came up accordingly;—to whom his Excellency was pleased to make the following Speech, of which the Speak$^{r}$ obtained a Copy.

[See Journal of the House, p. 601.]

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

---

Pro: N. Hamp$^{r}$. At a General Assembly held at Portsm$^{o}$ by adjournm$^{t}$ Thursday, Sept. 16, 1731

Present as before.

A message to the Board by Maj$^{r}$ Winget & Mr. Thing with an answer to his Excellencys Speech, w$^{ch}$ y$^{e}$ Gov$^{r}$ took.

[See Journal of the House, p. 602.]

A message to the Board by Messrs Clarkson & McMurphy w$^{th}$ a vote for a Committee to meet at Newbury, &c.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

[P. 68.] Province of New Hampshire.

At a General Assembly held at Portsm$^{o}$ by adjournm$^{t}$ Fryday 7$^{r}$ 1731.

Present

His Excellency Jona. Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Jothm Odiorne | Esqs. |
| Geo. Jaffrey | | Hen. Sherburne | |
| Rich$^{d}$ Wibird | | Rich$^{d}$ [Waldron] | |

A message to the Board by Mess$^{rs}$ Thing & Maj Sanburn, with a vote ab$^{t}$ Councill$^{rs}$ & Assembly mans allowance w$^{ch}$ was concurr'd with an amendment, & sent down by y$^{e}$ Clerk.

John *Salter* preferr'd a Petition praying to be set off to Rye read.

William Daniels prefer'd a Petition praying for a licenced house read. A message to the Board w$^{th}$ a vote for appointing a Committee to go to Newbury to meet a Com$^{t}$ from y$^{e}$ Mass$^{a}$ w$^{ch}$ was sent back to be reconsidered & and a new vote bro't up in the room of.

Abigail James prefer'd a Petition praying liberty to sell land in England read.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

Province of New Hampshire.

At a General Assembly held at Portsmouth, Sept. 18, 1731 being Saturday,

Present as before.

[P. 69.] Thomas Phipps Esq. prefered a Petition in behalf of Jar$^{d}$ Walford praying for a special act to vacate *or* [a] Deed deceiptfully obtained from him by James Stevens ordered y$^{e}$ hearing by on Wednesday next at ten o'clock A. M.

A message to the Board w$^{th}$ a vote for printing the Laws & a new Proportion of the Prov. tax.

Mr. Adams preferr'd a petition praying for a hearing ab$^{t}$ y$^{e}$ Parrish lines of Dover on Thursday next, read, ordered That the Selectmen attend at that time, &c.

A message to the House from his Excell$^{y}$ by y$^{e}$ Clerk.

Adjourned till Monday next, 12 o'clock at noon.

---

Pro: of New Hampshire.

At a gen$^{l}$ assembly held at Portsm$^{o}$, Sept 20$^{th}$ 1731 being Monday.

Present as before.

Mrs. James Petition was read and dismiss'd.

Wm. Daniels Petition prefered the 17$^{th}$ read & sent down pr the Sec$^{y}$. The vote of the House for printing the Laws sent up the 18$^{th}$ returned. Concurr'd with an amendment pr the Sec$^{y}$ Stephen Barton preferr'd a petition praying for a special act to enable him to gather a rate made in New Castle anno 1730, for reason set forth read & sent down with a vote for a hearing thereon on Thursday next.

Adj$^{d}$ til tomorrow
10 o'clock, A. M.

---

[P. 70.] Prov. of New Hamp$^{r}$.

At a general assembly held at Portsm$^{o}$ by adj$^{t}$ Tuesday Sep$^{t}$. 21$^{st}$ 1731.

Present as before.

Sundry messages &c. by Mess$^{rs}$ Walton & Thing.

Allowances to Mess$^{rs}$ Cross, Jno. Newmarsh, O. Shaw.

By the same message a vote for putting £90 rec$^{d}$ of Col. Weare into the hands of Maj$^{r}$ Thing w$^{ch}$ was read nonconcurr'd & sent back by y$^{e}$ Sec$^{y}$.

Adj$^{d}$ til tomorrow, 8 o'clock A. M.

Met according to adjournm$^{t}$.
Present as before.
Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

Prov. of N. Hamp$^{r}$. At a general assembly held at Portsm$^{o}$. by adj$^{t}$ Thursday 7$^{r}$ 23, 1731.

Present

His Excellency the Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | } Esqs | Joth$^{m}$ Odiorne | } Esqs |
| Geo. Jaffrey | | H. Sherburne | |
| Rich$^{d}$ Wibird | | R. Waldron | |

(Thursdays votes & Messages & hearings to be entered here.)
Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

Prov. of N. Hamp$^{r}$. At a General assembly held at Portsm$^{o}$ by adj$^{t}$ 7$^{r}$ 24, 1732 (1) being Fryday.

Present as before.
Held Saturday 25.
Present as Before.

[*Note by the Editor.*]

Here a chasm occurs in the Records of the General Assembly, from September 25$^{th}$ 1731, to May 3$^{d}$ 1732. See however, *Journal of the House*, in relation to the abovesaid period.

(1.) Evidently an error. Ed.

[P. 73.] Prov. of New Hamp.

At a General Assembly held at Portsmouth by Prorogation May 3d 1732, being Wednesday.

Present.

His Excellency Jonathan Belcher Esq Govr.

Shadr Walton, Jothm Odiorne } Esqs — Hen Sherburne, R. Waldron } Esqs

Adjd til tomorrow, 10 o'clock A. M.

---

Province of New Hampr.

At a genl Assembly held at Portsmo. by adjt Thursday, May 4th 1732.

Present as before.

A message from his Excellency to the House by the Secy requiring their attendance at the Council Board. The Speaker and the House came up accordingly to whom his Excellency was pleased to make the following speech.

[See Journal of the House, p. 615.]

Adjd til tomorrow, 10 o'clock A. M.

---

Province of New Hampr

At a Genl Assem held at Portsm by adjd.

Fryday May 5th 1732.

Present as before.

Adjd til tomorrow, 10 o'clock A. M.

---

Met and Present—ut supra.

[P. 74.] May 6th The three hearings ordered to be to day are postponed to Tuesday next: viz. Nottingham Petition, Dover Town Book & Oyster River line.

Adjd til Monday next 10 o'clock A. M.

---

Province of New Hampr

At a General Assembly held at Portsmo Monday 9th [8th] May 1732.

Present

His Excellency Jonathan Belcher, Esq. Gov$^{r}$

Shad$^{a}$ Walton, Henry Sherburn, R. Waldron, Esq.

Adj$^{d}$ til tomorrow, 10 o'clock A. M. (1)

---

Province of New Hamp$^{r}$. At a General Assembly held at Portsm$^{o}$ tuesday May 9$^{th}$ 1732.

Present

His Excellency Jonathan Belcher, Esqr. Gov$^{r}$

Shad$^{a}$ Walton
Joth$^{m}$ Odiorne
Henry Sherburne
Rich$^{d}$ Waldron
} Esqs.

A message to the House by the Secretary from his Excellency to require their attendance at the board on the hearing of Nottingham Petition Ordered a Saturday last to be heard this day The Speaker & House came up accordingly and the Petitioners and respondents being heard, the House withdrew to their own apartment.

[P. 75.] A petition was read at y$^{e}$ Board for a New Parrish to be erected out of Hampton-Falls and Kingston w$^{ch}$ was sent down & returned by Mathes and Sanborn w$^{th}$ a vote y$^{r}$on.

A message from his Excellency to the House by the Sec$^{y}$ requiring their attendance at y$^{e}$ Council board upon the hearing of the affair of Dover Town book & Oyster River line. The Speaker and House came up accordingly, and all p'ties being fully heard upon the premises the Speaker and House withdrew to their own apartm$^{t}$

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

---

Province of New Hamp$^{r}$

At a Gen$^{l}$ Assembly held at Portsmouth by Adj$^{t}$ Wednesday May 10$^{th}$ 1732.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$

Shad$^{a}$ Walton
Joth$^{m}$ Odiorne
} Esqs.
Henry Sherburne
R. Waldron
} Esqs

(1) In the margin is the following note, "May 9$^{th}$ 1732, Benj. Rust app$^{t}$ ad$^{s}$ Thom$^{s}$ Parker appl$^{e}$ Satturday next 5 o'clock. The appell$^{t}$ praing for a lon time y$^{e}$ case continued til the next term y$^{e}$ 2$^{d}$ tuesday in Oct nex."

A message to the Board by Mes^rs^ Walton & Stevens with an answer to his Excellency's Speech w^ch^ y^e^ Gov^r^ took to himself The Selectmen of Greenland's Petition for a repre^sent^ read and sent down.

[See Journal of the House, p. 617.]

Adj. till tomorrow 10 o'clock A. M.

---

Province of New Hamp^r^

At a Gen^l^ Assembly by adj^t^ Thursday May 11^th^ 1732.

Present as before.

A message to the Board by Messrs Millet and Stevens with a vote for making Oyster River a Township (1) and for allowing Mr. Jones 42£ for bills burnt in his Father's house.

[P. 76.] A message to the Board by Cap^t^. Peirce w^th^ a vote for suspending y^e^ affair of Dover Town Book.

A message from his Excellency to the House for the Sec^r^ in writing which was read and left with them.

A message to the Board by Cap^t^ Jennis with a vote for a Committee to number the bills.

His Excellency was pleased to adjourn y^e^ Council to Cap^t^ Wibird's house in order to have a Quorum of five to pass upon y^e^ votes sent up from the House viz. For a Committee to Number the Bills to be burnt. To suspend y^e^ affair of Dover Town Book To allow Steph. Jones, jun. 42£ To make Oyster River a township when and where the s^d^ votes were concurr'd with.

Adj^d^ til tomorrow 10 o'clock A. M.

---

Prov. of N. Hamp^r^

At a Genal Assembly by adj^d^ May 12 1732, being Fryday.

Present as before.

His Excellency was pleased to give his consent to the several votes passd upon yesterday at Capt. Wibird's which are as follows: Dover book, Oyster River a town, Step^h^ Jones; Member Bills.

A message to the Board by Mess^rs^ Weare and Stevens with the Lists for a new Proportion & a vote for a Committee to prepare a Bill which were returned by the Secretary who was directed to Inform the House that the Council desired the Bill might be prepared as soon as possible.

(1) "A P'ish, by the name of Durham." *Journ. of the House.*

[P. 77.] A message to the Board with a vote for granting Greenland Petition. (1)

A message to the Board by Mr. McMurphy with a vote for a Recorder—viz. Capt. Pierce.

Adj[d] til tomorrow, 10 o'clock. A. M.

---

Prov. of N. Hamp[r].

At a general assembly held at Portsmouth by adj[t] May 13[th] 1732, Saturday.

Present [as before]

A message from the Council to the House by Col[o] Sherburne & Capt. Odiorne to recommend to them the dispatch of the busyness before 'em, the Gov[r] having acquainted the Council he intends towards Boston a Monday next.

A message to the Board by Mr. Millet & Mr. Stevens with the vote about the town of Dover & Oyster River the Act to incorporate Durham & new Proportion pr Pierce and Winget sundry votes.

---

Province of New Hamp[r].

At a gen[l] assembly by adjournm[t] May 15[th] 1732 being Monday.

Present

His Excellency Jonathan Belcher, Esq Gov[r].

Shad[a] Walton, Joth. Odiorne } Esqs H. Sherburne, R. Waldron. } Esqs

A message to the House by the Clerk to require their attendance at the Council Board the Speaker and House came up accordingly and his Excellency was pleased to give his assent [P. 78] to the following bills—New Proportion—Durham—Excise Act.

Then the Speaker and House withdrew to their own apartment.

A message to the House by Capt Odiorne with a vote for the Treasurer to sue y[e] 1700£ bonds. By the Secretary y[e] vote of y[e] House Record[r] nonconcurr'd.

A message to the House by Col. Sherburne with a vote for a Committee of audit.

A message from his Excellency by the Secretary in writing as on file.

A message to the Board by Jennis with y[e] for an audit just now sent down as follows. [Not recorded.]

(1) "Praying the Privilege of having a Representative," *Journ. of the House.* Ed.

Province of New Hampshire.

At a General assembly held at Portsm° by adjournm^t May 16^th 1732, being Tuesday.

Present

Shad^a Walton, Joth^m Odiorne } Esqs H. Sherburne, R. Waldron. } Esqs

A message to the House by Capt. Odiorne with a vote of Council for Mr. Atkinson to rend^r an account of Powder with the vote of the assembly made last sessions annexed y^r to.

By y^e same message the desire of the House to see Mr. Atkinson's acct. A message to the Board by Mr. Sanburn with the vote about the 1700£ non-concurr'd which was returned by Capt. Odiorne for further consideration—back to Mr. Atkinson.

A message to the Board by Mr. Jennis with a vote of adherence for Mr. Pierce recorder, which was returned by Capt Odiorne non-concurr'd, who likewise carried down a [P. 79] vote of council for Col. Sherburn to be recorder which was bro't back concurr'd.

A message to the house by Col Sherburne with a vote for Capt. Odiorne to be Recorder which was returned nonconcurr'd.

A message to the House by Col Walton with the two votes of Council for Mr. Odiorne and Mr. Sherburne and a recommendation of the Council for the House to reconsider those votes and make a Concurrence on one of them.

A message to the House by the Secretary with a vote of Council for the Impression of 4000£

Adj. til tomorrow, 10 o'clock A. M.

---

Prov. of New Hamp^r

At a Gen^l Assembly by adj^t May 17, 1732 being Wednesday.

Present

His Excellency Jonathan Belcher Esq. Gov^r

Shad^a Walton, Joth. Odiorne } Esqs H. Sherburne, R. Waldron } Esqs

The Con^l advised to the Issueing a Warr^t for the Gov^rs Salary when it becomes due, and likewise to Issue a precept for the choice of Assembly men any time between this and the 2 Thursday in Oct^r next.

*Note by the Editor.*

Here occurs another Chasm in the *Journal of the General Assembly*, till February 22d 1732–3. See *Journal of the House* during the intervening period.

Prov. of New Hampr
Anno Rni Ris Geoii 6to
At a General Assembly held at Portsmo by Prorogation Thursday Feby 22d 1732–3.

Present
Mr. President Walton.

Adjourn'd till tomorrow, 10 o'clock.

[p. 80.] Feb. 23d 1732–3 Present Mr. President Walton. Adjourned, till tomorrow 10'clock.

Prov. of New Hampr
At a General Assembly held at Portsmo by adjournment Saturday Feb 24th 1732–3.

Present.

His Excellency Jonathan Belcher Esq Govr

| | | |
|---|---|---|
| Shada Walton | Esqs. | Richd Waldron |
| Joth Odiorne | | Epha Dennet |
| Henry Sherburne | | Josha Peirce. |

A message from his Excellency to the House of Representatives by the Secretary to require their attendance at the Council Board; the Speaker and House came up accordingly to whome his Excellency was pleased to make a Speech a copy of which his Excellency delivered the Speaker and then he and the House withdrew to their own apartment. The Speech is as follows:

[See Journal of the House,—p. 630.]

A Message to the House from his Excellency by the Secretary to adjourn them til Monday next 11 o'clock A. M.
Adjourned.

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Prov. of New Hampr
At a General Assembly held a Portsmo by Adjournmt Monday Feb. 26th 1732–3.

[p. 81.] Present
Mr. President Walton,

| | | | |
|---|---|---|---|
| Jothm Odiorne | Esqs. | Richd Waldron | Esqs. |
| Henry Sherburne | | Eph. Dennet | |

John Peirce, Esq.

A message to the Board by a member of the House Informing that several members of [it] Were not yet sworn: upon which Joth Odiorne Esq. and Eph$^{a}$ Dennet Esq. were sent down by his Excellency's orders to administer the proper oaths to the unsworn members which was done accordingly and the Instruction (1) ab$^{t}$ Dutys on English Shipping sent pr Mr. Dennet.

Adj$^{d}$ til tomorrow, 10 o'clock A. M.

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Prov. of N. Hamp$^{r}$

At a General Assembly held at Portsmouth by adjournment Tuesday February 27$^{th}$ 1732–3.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | } | Rich$^{d}$ Waldron | } |
| Joth Odiorne | } Esqs | Eph$^{a}$ Dennet | } Esqs. |
| Hen. Sherburne | } | Josh$^{a}$ Peirce | } |

The Treasurer's Accts and Estimates laid before the House pr Mr Dennet.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Province of New Hampshire.

At a General Assembly held at Portsmouth by adjournment, Wednesday Feb. 28$^{th}$ 1732–3.

[P. 82.] Present as before.

A message to the Board by Messrs. Sanburn and Stevens with an answer to his Excellency's Speech, the answer as follows:

[See Journal of the House, p. 632.]

Benj$^{a}$ Rust preferr'd a Petition to the Board praying for a special act to vacate a judgm$^{t}$ of the Sup$^{r}$ Court which was read, and a vote made thereon and the same sent down for concurrence by Eph Dennet Esq. which was returned by a member of the House concurred, which vote is as follows:

[Vote not on record.]

A message with a vote for —— Committee to tell y$^{e}$ Bills to be burnt as follows.

A message to the Board by one of the members for a Recorder ordered to lye for consideration.

Mr. Daniels Collins Preferr'd a Petition to the Board directed to the General Assembly praying for his House at

(1) The said Instruction is not recorded and can not now be found. Ed.

Hampton Falls may be licensed for a tavern with another Petition from Sundry Inhabitants: both were read and unanimously voted to be dismissed.

Jabez Smith Esq, Preferrd a Petition for enlarging the terms for the performance of Chichester conditions read and the said Smith was heard thereon.

The Petition of sundry for a New Parish from Hampton Falls and Kingston preferred last session was this day fully heard and the objections thereto; after which the Petition and Papers were sent down to the House of Repres[ts]

Adjourn'd till tomorrow, 10 o'clock A. M.

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Province of New Hampshire.

At a General Assembly held at Portsmouth Thursday March 1[st] 1732–3.

[P. 83.] Present

Mr. President Walton.

| | | | |
|---|---|---|---|
| Jotham Odiorne<br>Henry Sherburne | Esqs. | Rich[d] Wal[dron,]<br>Ephraim Dennet<br>Joshua Peirce | Esqs. |

A message to the Board with the Hampton Falls Petition for a Parish which was voted to be dismissed in the lower House.

A Message to the Board with vote for a Committee to prepare a bill against Killing deer.

Adjourned till tomorrow 10 o'clock A. M.

---

Province of New Hamp[r].

At a General Assembly held at Portsmouth March 2 1732–3, being Fryday.

Present

His Excellency Jona. Belcher Esq. Gov[r].

| | | | |
|---|---|---|---|
| Shad. Walton<br>Joth[m] Odiorne<br>Hen. Sherburne | Esqs. | R. Waldron<br>Eph[m] Dennet<br>Josh. Peirce | |

This day came on a hearing upon Mr. Benj. Rust's Petition preferred 28[th] ult[o] adv[s] Mr. Thom. Packer, both Partys were fully heard & and the matter is ordered to lye for consideration til next Session of General Assembly.

A Message to the Board with a vote for a Committee to tell over the money to be burnt w^ch^ was concurr'd as follows.

Court of Appeals held pr adjournment as on file.

Adjourned til tomorrow, 10 o'clock A. M.

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Prov. of N. Hamp^r^.

At a Gen^l^ Assembly at Portsm^o^ by adjournm^t^ Saturday March 3^d^ 1732–3.

Present

His Excell^y^ Jona. Belcher Esq. Gov^r^

Shad. Walton, Joth^m^ Odiorne, Hen. Sherburne } Esqs.
R. Waldron, Eph^m^ Dennet } Esqs.

A message to the Gov^r^ by Capt. Walker desiring his Excellency to adjourn y^e^ General Assembly for a week as on file which the Gov^r^ told them he not comply with in a message by y^e^ Secretary.

[P. 84.] Col. Paul Gerrish & Mr. Sam^l^ Smith preferred a Petition for a Township at Winnepishoky Pond—Read & ordered to lye for consideration.

A message from his Excellency by y^e^ Sec'^y^ to adjourn y^e^ General assembly to Monday next 10 o'clock A. M.

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Province of New Hamp^r^.

At a General Assembly held at Portsmouth, March 5^th^ 1732–3, being Monday.

Present

Mr. President Walton,

Henry Sherburne, Richard Waldron } Esqs.
Eph^m^ Dennet, Joshua Pierce } Esqs.

Adjourned till tomorrow, 10 o'clock A. M.

---

Province of New Hamp^r^ } At a General Assembly held by adjourm^t^ Tuesday March 6, 1732–3,

Present—His Excell^y^ Jon^a^ Belcher, Esq. Gov^r^

Shad^a^ Walton, Jotham Odiorne, Henry Sherburne } Esqs.
Rich^d^ Waldron, Ephr^a^ Dennet, Joshua Peirce } Esqs.

John Brown preferr'd a Petition for a Fair. Ordered to lye for consideration.

A Message to the Board by Mr. Jennes with a vote for a Committee of audit which was read and nonconcurred, and sent down by Mr. Peirce together w$^{th}$ a vote of Council for a Committee of audit which the House nonconcurr'd and sent it up by Mr. Haynes together with their own vote adhered to.

The soldiers of the Fort preferred a Petition which was read and recommended and sent down by Col. Walton.

A Message to the House by Capt. Peirce w$^{th}$ the Nottingham Petition and vote of the House of the 2$^{d}$ current nonconcurred & a vote of Council in lieu of that which was returned pr Mr. Sanburn, & the said vote of Council concurr'd with as follows:

[This vote not recorded.]

[P. 85] A Message to the board by Mr. Dam with a vote for putting the bonds for the 1730£ into the Speakers hands and for him to collect the money.

A message to the Board by Messrs Thing, Mathes and Clarkson, with a vote for the Emission of 20000£ on loan and one thou$^{d}$ for the Impost of the Goverm$^{t}$:—the Scheme being directly contrary to his Maj$^{ties}$ Instructions—It was non concurrd unanimously and sent down by Capt. Pierce. Mem$^{o}$. Lampry's Petition read and sent him by Ben to mend and not returned.

Adj$^{d}$ til to-morrow, 10 o'clock A. M.

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Province of
N. Hamp$^{r}$. At a General Assembly held at Portsm$^{o}$ by adjournm$^{t}$ Wednesday March 7 1732–3.

Present

Mr. President Walton

Joth$^{m}$ Odiorne, H. Sherburne } Esqs. R. Waldron, Eph$^{a}$ Dennet } Esqs.

Josh$^{a}$ Peirce Esq.

A message to the Board pr Mr. Stevens and Hartford with a vote for 20000£ &c. on loan.

A Message pr Mr. Clarkson to inquire whether the vote for a recorder had been passed upon.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

Province of New Hampshire.

At a general assembly held at Portsmouth Thursday March 8th 1732–3.

Present

His Excellency Jona Belcher Esq Govr.

Jothm Odiorne Esq. R. Waldron
H. Sherburne Esq. Ephra Dennet } Esqs
[p. 86.] Josh. Pierce

A Petition preferred by Mr. Henry Sherburne Junr. of the Plains praying for a Parrish, read and a vote made thereon and sent down by Mr. Dennet.

A Message to his Excellency by Messrs McMurphy and Haynes about the Province *Law* [Lines ?].

A message to the Board by Messrs. Sanburn and Stevens with the Petition of the Fort Souldiers sent down recommended the 6th with a vote of the House thereon and also another vote for auditing Mr. Atkinsons accounts, &c.

A message to the House by Messrs Dennet and Pierce with the vote of the House sent up yesterday for the Emission of £20000 on loan nonconcurred unanimously with the reasons for the nonconcurrence. Also the vote of the House for putting the bonds of the 1730£ into the Speaker's hands nonconcurred, and a vote of Council to continue them in the Treasurer's hands, &c.

Also another vote of the House of the 28th February last for a recordr nonconcurred and a vote of Council for a recordr &c.

A message to the House by Capt. Odiorne with the Petition of the Fort Souldiers & the vote of the House thereon nonconcurred and a vote of Council in lieu thereof for paying the Souldiers in corne.

Also their vote for the money in Mr. Atkinsons hands to pay the souldiers nonconcurred, and an answer thereto from the Council.

Adjd til tomorrow, 10 o'clock A. M.

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[p. 87.] Province of New Hampshire.

At a general assembly held at Portsmth Tuesday March 9th 1732–3, by adjournmt.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$

Shad$^{a}$ Walton, Joth$^{m}$ Odiorne, H. Sherburne } Esqs

R. Waldron, Eph Dennet, Josh$^{a}$ Pierce } Esqs

A message to the Board with a vote of adhereance to the former vote for the Speaker's taking a renewal of the bonds for the £1730 or Presenting for the same &c., and the vote of Council for the Treasurer's doing it nonconcurred, and another vote of the House for the Speaker's managing that affaire.

A message to the house pr Mr. President and the Secretary to Inform them that forasmuch as there had Sundry votes passed between the two Houses relating to the 1730£ which had been nonconcurrd on both sides and there being not the least prospect at present of the two houses agreeing on the Head the Council did not think proper to spend any more of their time on the Publick money in fruitless votes and messages they were directed likewise by his Excellency to say that as the Council had nothing before 'um he desired they would send up what they intended to pass upon the session further his Excellency intended to dismiss the gen$^{l}$ assembly tomorrow.

A message by one of the members to the board the Plains Petition and a vote thereon likewise a vote about Col. Plaisted's money, viz. That Phipps should be bound for it.

A written message to the House from his Excellency by Capt. Odiorne in answer to what they sent up to him about the lines.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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[P. 88.] Province of New Hampshire.

At a general assembly held at Portsmouth by adjournm$^{t}$ March 10$^{th}$ 1732–3, being Saturday.

Present

His Excellency Jonathan Belcher Esq Gov$^{r}$.

Shad$^{a}$ Walton, Joth$^{m}$ Odiorne, Hen. Sherburne } Esqs

R. Waldron, Esq.

[Records defective—See *Journal of the House.* Ed.]

[p. 90.] Province of New Hamp$^{r}$.

At a general assembly held at Portsmouth, Tuesday the 1$^{st}$ Jan$^{y}$ 1733–4.

Present in Council.

His Excellency Jona Belcher Esq. Gov$^{r}$.

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | | Henry Sherburne | |
| Geo. Jaffrey | Esqs | Rich$^{d}$ Waldron | Esqs |
| Joth$^{m}$ Odiorne | | Eph$^{a}$ Dennet. | |

Josh$^{a}$ Pierce Esq.

His Excellency sent Mr. Shiriff Wibird to tell Mr. Benning Wentworth that he would speak with him at the Council Board. Mr. Wentworth came accordingly, to whom his Excellency was pleased to say "Mr. Wentworth I have his Majesties Royal Mandamus for admitting you into his Majes$^{ties}$ Council in this Province and am now ready to do it and have ordered the Secretary to administer the proper oaths to you accordingly," to which Mr. Wentworth replied, "I should have been glad to have known it sooner Sir—for I am now Engaged to serve in the assembly for this town and therefore cannot accept now but when the session is over I may be ready" and then withdrew.

Then his Excelleney sent Mr. Sheriff Wibird to tell Mr, Theodore Atkinson (1) he would speak with him at the Council Board: Mr. Atkinson came accordingly, To whom his Excellency was pleased to say as to Mr. Wentworth:— to which Mr. Atkinson replied—"I apprehended it might be so and wrote to your Excellency on that head but had not the honour of an answer so have been chosen a representative for the town of New Castle, and to leave them now

(1) Benning Wentworth and Theodore Atkinson had received their appointment about two years previous to this time; but through Gov. Belcher's remonstrances and personal opposition to them, had not been admitted. See *Ad. Ann. Ports'mo*, p. 160.

Benning Wentworth was a son of Lt. Gov. John Wentworth, graduated at Harvard College in 1715. After having been a member of the Assembly and the Council, his mercantile business called him to London, where he obtained the Commission of Governor in 1741. He continued in office near 20 years: died October 14, 1770, aged 74. See *Brewster's Rambles* about Portsmo. pp. 98–102.

Theodore Atkinson, son of Theodore Atkinson, was born in New Castle, 1697; graduated at Harvard College in 1718. He held many offices of honor and trust in the Province: was a man of great wealth and popularity, of a lively disposition, social and fond of merriment. He gave the name to the town of Atkinson, in this State, as a large portion of it belonged to him. He died in 1779, aged 82 years. Ed.

when they have no other member would be a great piece of Injustice to them therefore I must pray to be excused;" and then withdrew, desiring as he departed the reason of his disacceptance might be minuted.

[Two lines are here so worn as not to be read. Ed.]

[p.91.] Then his Excellency sent Mr. Sheriff Wibird to tell Lt Col Jos. Sherburne he would speak with him at the Council board. Mr. Sherburne came accordingly—to whom his Excellency said as to the other Gentlemen Whereupon Col Sherburne Expressed his readiness to accept the royal favour. Then a message was sent by his Excellency to Capt Huske to signify to him that the Gov$^{r}$ would speak with him at the board he came also; to whom his Excellency was pleased to say as to the others and he in reply expressed his readiness to accept. Whereupon the Mandamus's for the admission of the said Col. Sherburne and Mr. Huske were read. After which they took all the proper oaths, repeated the declaration provided by law, subscribed the same and then took their places at the Board accordingly.

Mr. Sheriff made a return of the writ for Electing an Assembly which was laid before the Board and the names of the persons returned to serve are as follows.

[See Journal of the House, p. 646.]

His Excellency was pleased to order Geo. Jeffrey and Joth Odiorne Esqs. to repair to the House of representatives and administer to those persons returned to serve in the Assembly the several oaths Decla$^{rs}$ and &c. required by Law who went accordingly and returning said they had done as were ordered Except to four members who were not yet come.

Then his Excellency sent Josh$^{a}$ Peirce Esq$^{r}$ to the members that were sworn to direct them to proceed in the choice of a Speaker who returned—done the message.

Mess$^{rs}$ Benning Wentworth Geo. Walton Theo. Atkinson and Robert Boyes came to the Board and informed his Excellency the Gov$^{r}$ that the members had chosen And$^{r}$ Wiggin Esq. for their Speak$^{r}$ and [p. 92] then withdrew.

A message from his Excellency by the Secretary to the House of representatives to require their attendance at the Council Board the Speaker and House came up accordingly to whom his Excellency was pleased to make the following speech.

[See Journal of the House, p. 647.]

Adj. til tomorrow 11 o'clock, a. m.

Prov. of New Hamp.

At a General Assembly held at Portsmouth by adj$^{t}$ Wednesday, Jan$^{y}$ 2$^{d}$ 1733–4.

Present

His Excellency Jona. Belcher, Esq. Gov$^{r}$

Shad$^{a}$ Walton, Geo. Jaffrey, R. Waldron, Esqs. — Eph$^{a}$ Dennet. Joth. Odiorne. Jos Sherburne.

Ellis Huske, (1) H Sherburne, Esqs.

A message to the Board by Mr. Packer to Inform his Excellency that several of the members were newly come and pray'd the Gov$^{r}$ would be pleased to give order for their being sworn.

His Excellency sent Geo. Jaffrey and Eph$^{a}$ Dennet Esqs. to administer the oaths to the said new members who returned they had sworn and caused to repeat the declaration and subscribe the same, Paul Gerrish, Paul Wentworth Esqs. and Capt. Tho$^{s}$ Millet.

Adjourned til tomorrow 10 o'clock.

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Prov. of N. Hamp.

At a General Assembly held at Portsmouth by adjourn-m$^{t}$, Thursday Jan 3$^{d}$, 1733–[4.]

Present in Council

His Excellency Jonathan Belcher, Esq. Gov$^{r}$

[p. 93] Shad: Walton, Geo: Jaffrey, Joth. Odiorne, Esqrs. — H. Sherburne, R. Waldron, Eph$^{a}$ Dennet, Esqrs.

Josh: Pierce, Jos: Sherburne, Ellis Huske, Esqs.

A message to the Board by Mr. Atkinson with a vote of the House for a Committee to tell over the bills to be burnt.

Adj. til tomorrow 10 o'clock A. M.

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Prov. of New Hamp$^{r}$. At a Genl. Assembly pr adjournment Fryday Jan 4$^{th}$ 1733–4.

(1) Ellis Huske and Jos. Sherburne were both of Portsmouth. Ed.

Present ut supra.

A message to the Board by Mr. Palmer with a vote for recorder which was concurred in Council.

A message to the Board by Messrs Boyes and Smith with a vote for a Committee to estimate the Charge of the Province

Adj[d] til tomorrow, 10 o'clock A. M.

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Prov. of N. Hamp.

At a General Assembly, &c. Saturday 5[th] Jan'y 1733–4

[P. 94.] Present in Council

His Excellency Jona Belcher Esq. Gov.

Shad Walton, Geo. Jaffrey, Joth. Odiorne } Esqs.
H. Sherburne, Eph Dennet, R Waldron } Esqs.
Josh Peirce, Jos Sherburne, Ellis Huske } Esqrs.

His Excellency was pleased this day to give his Assent to the votes for a Committee to tell the money to be burnt, for a Record[r] and for the Estimates which the Sec[y] was sent down to Inform the House, of Capt. Peirce petition for Notingham read and sent down by Josh[a] Peirce Esq[r].

Adjourned til Monday 3 oclock P. M.

---

Prov. of N. Hamp.

At a Gen[l] Assembly Monday 7 Jan[y] 1733–4.

Present

Shad[a] Walton, Geo. Jaffrey, Joth: Odiorne } Esqs.
Hen. Sherburne, R Waldron, Eph[a] Dennet } Esqs.
Jos. Sherburne, Ellis Huske } Esqs.

Adjourned till tomorrow, 10 o'clock A. M.

---

Province of New Hampshire.

At a General Assembly Tuesday 8 Jan[y] 1733–4.

Present

His Excellency Jona Belcher Esq. Gov$^{r}$

Shad$^{a}$ Walton, Joth. Odiorne, [p. 95.] Rich$^{d}$ Waldron } Esqs.

Eph. Dennet, Ellis Huske, Geo. Jaffrey } Esqs.

Henry Sherburne, Jos. Sherburne } Esqs.

Tobias Leighton p'ferred a Petition in behalf of his sister Eliza Wentworth praying for a suspension of a Judgment &c. read and a vote made thereon and sent down for concurrence pr Capt. Huske.

Benj$^{a}$ Mathes preferred a Petition for a Township Ordered to lye for Consideration til the next session.

Adjourned til tomorrow 10 o'clock A. M.

---

Prov. of New Hamp.

At a General Assembly Wednesday Jan. 9$^{th}$ 1733–4.

Present

His Excellency Jona Belcher Esq. Gov$^{r}$

Shad$^{a}$ Walton, Joth Odiorne, Henry Sherburne } Esqs.

R. Waldron, Eph$^{a}$ Dennet, Josh. Pierce } Esqs

Jos. Sherburne, Ellis Huske } Esqs.

A message to the Board by Mr Jennis with the Petition of Tobias Leighton in behalf of Eliz$^{a}$ Wentworth and a vote thereon, sent down yesterday with a vote of Concurrence with amendment as follows:

William Chamberlain preferred a Petition for support of the Gospel at Rochester read and a vote passed thereon and sent down for concurrence by Capt. Huske.

A message to the Board by Mr. Stevens with Chamberlains Petition and a vote of Council concurred by the House signed by the Gov$^{r}$. Adj$^{d}$ til tomorrow, 10 o'clock A. M.

---

Province of New Hampshire.

At a General Assembly Thursday Jan$^{ry}$ 16$^{th}$ 1733'4.

[p. 96.] Present as before.

A message to the Board by a member of the House with a bill against killing deer.

A message to the Board by Capt. Gillman with a vote for an agent.

Adj[d] til tomorrow, 10 o'clock A. M.

---

Prov. N. Hamp[r]. At a Gen[l] assembly Fryday Jan. 11, 1733–4.

[Present in Council as before.]

Col. Henry Sherburne presented a Petition for the Executors of Mr. Emerson Will, praying an Act to revive a case which was read and voted to be granted and sent down by Lt Col Jos Sherburne for concurrence.

A message to the Board with an answer to the Gov[r] Speech by Mess[rs] Stevens, Clarkson and Parker:

[See Journal of the House, p. 653.]

A message to the Board by Mess[rs] Smith, Boyes and Sanburn with a vote for Emitting 3000£

[P. 97.] Tobias Leighton appeared to prosecute his Petition for Mrs Eliza Wentworth and Capt Wallingford to answer and being fully heard the petition was sent down by Capt. Huske.

A message to the House by Capt Odiorne with the vote of the House for Emitting 3000£ non-concurr'd and a vote of Conc[r] for the same sum. Adj[d] til tomorrow.

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Prov. of N. Hamp.

At a Assembly, Saturday Jan[y] 12[th], 1733–4.

Present

| | | | |
|---|---|---|---|
| Shad[a] Walton | Esqs. | R. Waldron | Esqs. |
| Joth[m] Odiorne | | Eph[a] Dennet | |
| H. Sherburne | | Josh[a] Peirce | |
| Jos. Sherburne | | Ellis Huske | |

A message to the Board by Mr. Sanburn w[th] the Petition of Tobias Leighton and votes thereon as follows:

Adj[d] til Monday 3 o'clock P. M.

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Province of N. Hampshire.

At a General Assembly Monday Jan. 14[th] 1733–4.

Present

| | | | |
|---|---|---|---|
| Shad[a] Walton | Esqs. | Eph[a] Dennet | Esqs. |
| Geo. Jaffrey | | Josh[a] Peirce | |
| R. Waldron | | Jos. Sherburne | |

Ellis Huske, Esq.

A message to the Board by Capt Gillman with a vote about the 1730.

A message to the Board by Mr Geo Walton with a vote about the Exchange money.

[P. 98.] Adj[d] til tomorrow 10 o'clock A. M.

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Prov. of N. Hamp.

At a General Assembly Tuesday Jan 15[th] 1733–4.

Present

His Excellency Jonathan Belcher Esq. Gov[r].

| | | | |
|---|---|---|---|
| Shad[a] Walton | Esqs. | R. Waldron | Esqs. |
| Geo. Jaffrey | | Eph. Dennet | |
| Joth. Odiorne | | Josh[a] Peirce | |
| Jos. Sherburne | | Ellis Huske | |

The vote of the House for Eliza Wentworth bringing in a bill which was sent up a Saturday was read & voted a concurrence & his Excell[y] consented. The vote about y[e] 1730 £ sent up yesterday read & ordered to lye for consideration. A message to the House pr. Capt Pierce to desire the report of y[e] audit about y[e] ———

A message to y[e] Board by Mr. Boyes with y[e] Report or Estimate ab[t] y[e] Exch[a] money.

A message to the Board by Mr. Jennis with Mrs. Emerson's Petition voted to be dismissed. Pr. Stevens vote about address.

Adj[d] till tomorrow.

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Province of N. Hamp.

At a Gen[l] Assembly, Wednesday 16[th] Jan[y] 1733–4.

Present

His Excellency Jona Belcher Esq. Gov[r].

| | | | |
|---|---|---|---|
| Shad[a] Walton | Esqs. | R Waldron | Esqs. |
| Jos Sherburne | | Eph[a] Dennet | |
| Joth Odiorne | | Josh[a] Peirce | |

A message to the Board by Mr. Clarkson and Mr. Boyes with a vote for a supply of the Treasury.

Adj[d] til tomorrow 10 o'clock A. M.

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Province of New Hamps.

At a Gen[l] Assem. Thursday 17[th] Jan 1733–4.

[P. 99.] Present

His Excellency Jona. Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | | R. Waldron | |
| Joth. Odiorne | Esqs. | Eph$^{a}$ Dennet | Esqs. |
| Geo. Jaffrey | | Josh Peirce | |

Jos. Sherburne, Esq.

A message pr Smith with accts and Wentworth and postponing the 15000£ pr the Pressed$^{t}$ the vote of the House about Exchange money nonconcurr'd, and with it a vote of Council about the same money. Pr Mr. Jaffrey vote ab$^{t}$ the agent nonconcurrd. Pr Mr. Odiorne the vote of the House about the 1730£ nonconcurrd and a vote of Council relating thereto.

Pr the Secretary the Council's answer to the House about *addressing*. By Mr. Dennet the vote of the House about putting money into the Treasury concurrd with amendment. Pr Col. Sherburne the vote of the House for postponing part of the 15000£ for reasons mentioned.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

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Province of New Hampshire

At a General Assembly, Fryday 18$^{th}$ Jan$^{y}$ 1733–4.

Present

His Excellency Jona Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | | R. Waldron | |
| Geo. Jaffrey | Esqs. | Eph$^{a}$ Dennet | Esqs. |
| Joth$^{m}$ Odiorne | | Josh Peirce | |

Jos Sherburne, Esq.

A message to the Board by Mr. Clarkson with the votes No 2 and No 3.

[P. 100.] The Secretary and Josh. Peirce Esqr. were sent with a message from the Gov as follows, viz. to adjourn the Assembly till Monday next at 10 o'clock A. M.

[Met according to adjournment, and adjourned till tomorrow 10 o'clock A. M.]

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Prov. of N. Hamp.

At a General Assembly held at Portsmouth Tuesday 22$^{d}$ Jan$^{y}$ 1733–4.

Present in Council

His Excellency Jona. Belcher, Esq. Gov$^{r}$

Shad$^{a}$ Walton, Geo. Jaffrey, Joth Odiorne } Esqs.
R. Waldron, Josh. Peirce, Jos. Sherburne } Esqs.

Ellis Huske, Esq.

A message to the House pr. Capt Huske with Mrs. Emerson's Petition to sell land.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

Prov. of N. Hamp.

At a General Assembly held at Portsmouth Wednesday, 23$^{d}$ Jan$^{y}$ 1733–4.

Present in Council

His Excellency Jona. Belcher, Esq. Gov$^{r}$

Shad$^{a}$ Walton, Joth. Odiorne, [p. 101.] R. Waldron } Esqs.
Josh. Peirce, Jos. Sherburne, Ellis Huske } Esqs.

A vote by Millet about Atkinson's money, by Stevens the vote to suspend consideration.

Assembly dissolved.

---

In Council

After the General Assembly was dissolved Mr. Atkinson made a motion to his Excellency in Council that as the reason for his refusing to be admitted into the Council the 1$^{st}$ Instant was removed he was now ready to take the oaths: to which the Governor answered as follows:

Sir—

Your refusing to accept the royal favour of being of his Majesties Council when I offered to admit you three weeks ago I look upon so great a disrespect to his Majesty as makes it necessary for me to represent home your contemptuous behaviour before I admit you to the honor of being of his Majesties Council of this Province.

In Council, voted That the Governour draw for his next half year's Salary when it becomes due, viz. 25 Feb. next. In Council advised that his Excellency Issue a Writ for convening an Assembly when he shall think proper.

[p. 103.] Anno Regni Regis Georgii 2di octavo.

Province of
New Hampr. At a General Assembly held at Portsmouth Tuesday, October 8, 1734. Present,

His Excellency Jonathan Belcher, Esqr. Govr

| | | | |
|---|---|---|---|
| George Jaffrey<br>Joth. Odiorne<br>Henry Sherburne<br>Richd Waldron | Esqs. | Benjamin Gambling<br>Ephraim Dennet<br>Joshua Peirce<br>Jos. Sherburne | Esqs. |

The Writs for conveying an Assembly being returned it appeared that the persons chosen to serve in the said Assembly are,—

| | | | |
|---|---|---|---|
| Capt. Geo. Walker<br>James Clarkson Esq.<br>Capt. John Rindge | Portsmo | Theod. Atkinson, Esq.<br>Richd Jennis | New Castle & Rye |
| Paul Gerrish Esq.<br>Paul Wentworth Esq.<br>Capt. Tho. Millet | Dover | Tristram Sanborn<br>George Walton | Kingston<br>Newington |
| John Sanburn<br>Samuel Palmer | Hampton | Andrew Wiggin Esq.<br>Robert Boyes,<br>Joshua Weeks, | Stretham<br>Derry<br>Greenland. |
| Peter Weare, Esq. | Hampton Falls. | | |
| Barthw Thing<br>Peter Gilman | Exeter | | |

A message from his Excellency to the House by Messrs. Jaffrey and Odiorne with an order to administer the oaths appointed to be taken instead of the oaths of Allegiance and Supremacy to the Persons above named and to cause them to subscribe [p. 104] the Declaration who returning reported they had administered &c. to all except James Clarkson, Barthw Thing, Peter Gilman and Robert Boyes.

A message to the Board by Messrs Peirce and Jos. Sherburne to direct the House to choose a Speaker, &c.

A message to the Board by Messrs Atkinson, Gerrish, Rindge to acquaint his Excellency that the House had chosen Andrew Wiggin Esq. for their Speaker.

Adjourned till tomorrow 10 o'clock A. M.

---

Anno Regni Regis Georgii, 2di 8vo.

Province of New Hampshire. At a General Assembly held at Portsmouth Wednesday October 9th 1734

Present

His Excellency Jonathan Belcher, Esq. Gov[r]

| | | | |
|---|---|---|---|
| Shad[a] Walton<br>George Jaffrey<br>Joth. Odiorne<br>Henry Sherburn<br>Richard Waldron | Esqs. | Ephraim Dennet<br>Josh. Sherburn<br>Benj[a] Gambling<br>Joshua Peirce | Esqs. |

John Dearborn and others preferred a Petition for a Parish at North Hill which was read and a vote made thereon and sent down for concurrence by Jos. Sherburne, Esq.

A message to the Council by Mr. James Jeffrey and others with John Dearborn's Petition & vote thereon with amendment which was concurred.

Adjourned till tomorrow 10 o'clock A. M.

---

Province of New Hampshire

[P. 105.] At a General Assembly held at Portsmouth, Thursday October 10[th] 1734.

Present

His Excellency Jonathan Belcher, Esq. Gov[r]

| | | | |
|---|---|---|---|
| Shad[a] Walton<br>George Jaffrey<br>Henry Sherburn<br>Rich[d] Waldron | Esqs. | Ephraim Dennet<br>Jos. Sherburne | Esqs. |

Mr. Matthew Bradford preferred a Petition praying for an act to vacate a judgment &c. which was read, and a vote made thereon and sent down by the Secretary who was directed to pray the House to proceed on Business. Bradfords Petition returned by Mess[rs] Jennis and Weeks, and by them a vote for an audit. The vote for an audit returned by the Secretary for reconsideration.

Joseph Chesley preferred a Petition for an act to vacate a judgment &c. Read & a vote made thereon and sent down for concurrence by the Secretary.

P. M.

A message to the Board by Mr. Sanburn with the votes for a Committee of audit &c. reconsidered and amended as follows.

A message to the Board by Paul Gerrish Esq. to acquaint his Excellency that three members were in the House not

sworn and to pray they might be qualified. Accordingly Ephraim Dennet and Jos. Sherburn, Esq. were sent down to administer the oaths which they did to Mess$^{rs}$ Thing, Gilman & Clarkson.

Adjourned till tomorrow, 10 o'clock A. M.

---

Anno Regni Regis Georgii 2$^{di}$ 8vo.

Province of New Hampshire

[P. 106.] At a General Assembly held at Portsmouth by adjournment, Friday, October 11, 1734.

Present

His Excellency Jonathan Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Benj$^{a}$ Gambling | Esqs. |
| Geo. Jaffrey | | Ephraim Dennet | |
| Henry Sherburne | | Joshua Peirce | |
| Rich$^{d}$ Waldron | | Jos$^{h}$ Sherburne | |

A message to the House from his Excellency by the Secretary to require their attendance at the Council Board. The Speaker and House came up accordingly to whom his Excellency made a Speech & being humbly desired by the Speaker gave him a copy thereof and then the House withdrew.

John Brown presented a Petition subscribed by the Selectmen of Hampton Falls praying for two annual Fairs in that Parish, &c. Granted.

Ordered That a Charter be made out accordingly and that the Fairs be on the *the* last Tuesday and Wednesday in April and 8$^{ber}$ annually forever.

Adjourned til tomorrow 10 o'clock A. M.

---

Province of New Hamp$^{r}$

At a General Assembly at Portsmouth Saturday October 12, 1734

Present

His Excellency Jonathan Belcher, Esq. Gov$^{r}$.

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Ephraim Dennet | Esqs. |
| Henry Sherburne | | Joshua Peirce | |
| Richard Waldron | | Jos. Sherburne | |
| Benj$^{a}$ Gambling | | George Jaffrey | |

Benning Wentworth, Theodore Atkinson this day admitted and sworn.

[p. 107.] Mr. Matthew Bradford was this day heard upon his Petition ag$^{st}$ Capt. Thomas Wright and the said Wright was also fully heard in answer thereto, and then a vote was made thereon for enabling the Petitioner to bring in a Bill & the same was sent down by the Secretary which was brought back by Capt. Walker concurred.

A message to the Board from the House by Clerk Jeffrey with a vote for postponing the payment of the £1730 which was read and non-concurred.

Mr. Wentworth and Mr. Atkinson admitted Councillors

Adjourned till Monday next 11 o'clock.

---

Province of New Hampshire

At a General Assembly held at Portsmouth, Monday 14 October 1734.

Present

| | | | |
|---|---|---|---|
| George Jaffrey<br>Jotham Odiorne<br>Richard Waldron<br>Joshua Peirce | Esqs. | Joseph Sherburn<br>Henry Sherburn<br>Ephraim Dennet<br>Theodore Atkinson | Esqs. |

Adjourned till tomorrow.

---

Province of New Hampshire—At a General Assembly held at Portsmouth Tuesday 15 October 1734.

Present

His Excellency Jonathan Belcher, Esq.

| | | | |
|---|---|---|---|
| George Jaffrey<br>Jotham Odiorne<br>Henry Sherburn<br>Richard Waldron<br>Theodore Atkinson<br>Ephraim Dennit | Esqs. | Benj$^{a}$ Gambling<br>Shadrach Walton<br>Joseph Sherburn<br>Joshua Peirce<br>Benning Wentworth | Esqs. |

[p. 108.] A Message to the Board by Mr. Jennes to acquaint his Excellency that one of the Members of the House was not yet qualified

Mr. Jaffrey and Mr. Odiorne were sent down to do it and returning reported they had administered the oath &c. to Mr. Robert Boyes.

Samuel Graves preferred a petition which was read.

John Gove also preferred a petition which was read. Both sent down by Messrs Jaffrey and Odiorne.

North Hill petition heard.

Adjourned til tomorrow, 10 o'clock A. M.

---

Province New Hampshire

At a General Assembly held at Portsmouth October 16th 1734, being Wednesday.

Present as before.

A message to the Board by Messrs Thing and John Sanborn with the following Papers viz.

Vote for an Additional Act about the 15000£

John Gove's Petition and votes.

North Hill Petition dismissed.

Samuel Hart preferred a Petition which was read and sent down by Capt. Peirce.

Mary Emerson and others preferred a Petition which was read and recommended to the House and sent down by Joshua Peirce, Esq.

A message to the Board by Mr. Clarkson to inquire [P. 109] whether the Council had passed on the vote of the House about the 1730£ loan which was sent down by Capt. Peirce.

Joseph Sheffield preferred a Petition which was read and a vote passed thereon and sent down by Joshua Peirce Esq.

A hearing had on Chesley's Petition and recommended to the Houses consideration & the Petition sent down by Mr. Atkinson.

A Petition of John Gove read and recommended and sent down by Col. Jos. Sherburn.

Adjourned till 10 o'clock A. M.

---

Province of New Hampshire.

At a General Assembly held at Portsmouth Thursday October 17, 1734.

Present—Councillors as before.

A message to the Board by a member of the House with a vote for demanding the 1730£.

Adjourned till tomorrow, 10 o'clock A. M.

Province of New Hampshire.

At a General Assembly Friday October 18, 1734.

Present

His Excellency Jonathan Belcher, Esq. Gov$^{r}$

[and Councillors as before]

[P. 110.] A message to the Board by Messrs Jaffrey with several votes, viz.

Sheffield's and votes thereon.

Hart's Petition and votes thereon.

Goffe's Petition and vote thereon, & Chesley's Petition which last was sent down for further consideration by Mr. Atkinson.

The vote for a Committee to prepare a bill for the calling of the remainder of the £15000 loan read and vote a concurrence passed thereon.

The vote for calling in the 1730£ loan sent up yesterday read and sent down by the Secretary and Mr. Atkinson for further consideration.

A message to the Board by Capt Weeks with the Petition of Chesley and votes thereon.

Adjourned till tomorrow 10 o'clock A. M.

---

Province of New Hampshire.

At a General Assembly held at Portsmouth, by adjournment, Saturday October 19$^{th}$ 1734.

Present

| | | | |
|---|---|---|---|
| Geo. Jaffrey | } Esqs. | Josh$^{a}$ Pierce | } Esqs. |
| Henry Sberburne | | Jos. Sherburne | |
| Ric$^{d}$ Waldron | | Benj. Wentworth | |
| Eph$^{a}$ Dennet | | Theo. Atkinson | |

Adj$^{d}$ till monday next 10 o'clock A. M.

---

Prov: of N. Hamp. [Met according to adjournment.

Present as before—with Shad$^{a}$ Walton & Jotham Odiorne]

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

[P. 111.] Prov. of N. Hamp.

At a general assembly by adjournm$^{t}$ at Portsmouth Tuesday Oct$^{r}$ 22$^{d}$ 1734.

Present

His Excellency Jonathan Belcher Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Rich$^{d}$ Waldron | Esqs. |
| Jotham Odiorn | | Eph$^{a}$ Dennet | |
| Henry Sherburne | | Josh$^{a}$ Peirce | |
| | | Jos. Sherburne | |

His Ex. the Gov. sent the Secretary to the House of Representatives to require their attendance at the Council board, the Speaker reply'd that some of the members were absent and the clerk was not there and that they would come up by e by (or as as soon as they came) whereupon His Excellency sent the Secretary to require their attend$^{a}$ immediately upon which the Speaker and House forthw$^{th}$ attended at the Bord and then His Excellency was pleased (after reprimanding the Speaker Wiggin for his indecent and unmannerly reply to his Excellency's first message) to make the following Specch to the House.

[See Journal of the House, p. 679.]

Then the Assembly was Dissolved.

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At a Coun. held at Coun. Chamb$^{r}$ in Portsm$^{o}$ Tuesday Oct$^{r}$ 22, 1734.

Present as above.

His Excellency asked the advice of the Council for Issuing a writ for conveneing a new assem w$^{ch}$ they unanimously advised & consented to at such time as his Excellency sh$^{d}$ think fit.

His Excellency ask'd the advice of the Council for Issuing a Warrant to the Treasure$^{r}$ for his half year's Salary due the 25 Aug$^{t}$ last, which they unanimously advised and consented to.

His Excell. asked the advice of the Council for issuing a proclam$^{a}$ for Public thanksgiving on y$^{e}$ 7$^{th}$ 9$^{r}$ next w$^{ch}$ being prepared by the Secretary persuant to the gov$^{rs}$ order was read and passed in Coun. unanimously and ordered to be published in the usual manner.

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[p. 115.] Anno Rni. R$^{is}$. Georgii 2$^{di}$ nono.
Pro. of N. Hamp$^{r}$

At a general assembly held at Portsmouth upon Wednesday the 21st April 1736.

Present

His Excellency Jona. Belcher, Esq. Govr

| | | | |
|---|---|---|---|
| Shada Walton | | Ephra Dennet | |
| Geo Jaffrey | | Josha Peirce | |
| Joth Odiorne | } Esqs | Ellis Stark(1) | } Esqs |
| Henry Sherburne | | Theo. Atkinson | |
| Richd Waldron | | Jos. Sherburne | |

Eleazr Russel & Richd Wibird Esq. high sheriff made returne of the writ for chusing assembly men with the names of the several persons Elected as follows.

viz. names Endorsed on the writ.

[See Journal of the House, p. 700.]

A message to the House from his Excellency by the Secretary & Mr. Peirce to administer the oaths to the persons return'd to serve on the Assembly who went down and administered the said oaths to as many as were present.

A message to the House by the Secretary from his Excellency to direct them to chuse a Speaker.

A message to the Board by Messrs Walker, Parker and Clarkson to acquaint his Excellency that they had chosen Andrew Wiggin Esq. for their Speaker.

Adjd til tomorrow, 10 o'clock A. M.

---

At a genl assembly by adjournmt Thursday the 22 April 1736.

Present in Coun. as before.

[P. 116.] A message to the Board by Mr. Parker to acquaint his Excellency that there were two members in the House not sworn & to pray that they might be qualified.

A message to the House by the Secretary & Mr. Peirce to administer the oaths to the members unsworn, who went down & administered them to Mr. James Gregg & Capt. R. Jennis.

A message to the House by Mr. Atkinson from his Excellency to require their attendance at the Council Board. The

(1) This name should be *Huske*. The error runs through the remainder of this Journal, but inasmuch as the error is palpable, the editor takes the liberty, in every case, to correct it.

Speaker & House came up accordingly to whom his Excellency made the following speech.

[This Speech not on record.]

A message to the Board by Capt. Jennis & another member with a vote for a Comittee of and it passed and it is as follows.

Mr. George Duncan prepared [preferred] a Petition for a 2d Parish in London Derry which was read, and then a Petition was read in opposition to Mr. Duncan's, upon which a vote was passed for appointing a hearing on the sd Petitions on Tuesday next which vote together with the said petitions were sent down to the House by the Secretary who was also directed to acquaint them Council had concurred their vote for a Comittee of audit & the Govr had consented to it.

A message to the Board by Mr Smith & Capt. Gilman with the Derry Petitions for a new Parish & a vote for a hearing. The vote is as follows:

Adjd til tomorrow, 10 o'clock A. M.

---

Pro: N. Hampr. At a general assembly held at Portsmo by adjournmt Tuesday Apr. 23d 1736.

Present in Coun.

His Excellency Jona Belcher Esq Govr.

| | | | |
|---|---|---|---|
| Sha. Walton | | Eph Dennet | |
| Geo. Jaffrey | | Josha Peirce | |
| Joth Odiorne | Esqs | Jos. Sherburne | Esqs |
| Henry Sherburn | | Ellis Huske | |
| Richd Waldron | | Theodore Atkinson | |

[P. 117.] The petitioners for a new Parish at Hampton Falls and the Selectmen of said Falls Parish as respondents appeared at the Board & were heard upon the said Petitions and then the said Petitions and Papers relating thereto were sent down to the House of Representatives by the Secretary.

Saml. Hart Esq. as Guardian to the Children of George & Robert Almory preferred a Petition praying leave to sell part of Messuage belonging to his wards which was read and sent down.

John Meader and others preferred a Petition praying for a special act to Dock an Intail &c. read, sent down by the Secretary.

Adjd til tomorrow, 10 o'clock A. M.

Pro. N. Hamp. At a Gen$^{l}$ Assembly, Saturday Apr. 24 1736

Present in Coun.

| | | | |
|---|---|---|---|
| Geo. Jaffrey | Esqs. | Eph. Dennet | Esqs. |
| Joth Odiorne | | Josh$^{a}$ Peirce | |
| Henry Sherburne | | Jos. Sherburn | |
| Rich$^{d}$ Waldron | | Ellis Huske | |
| | | Theo. Atkinson | |

A message to the Board by Mr. Peirce w$^{th}$ Meaders Petition & vote thereon as follows:

By y$^{e}$ same message the Petition of John Prescot & others w$^{th}$ a vote thereon as follows:

A message to the Board 'by Capt. Walker w$^{th}$ a vote for calling in y$^{e}$ residue of y$^{e}$ £15000.

A message to the House pr Mr. Atkinson to acquaint them the Council had agreed with their votes on Meaders & Prescott's Petitions.

Adj'd til monday next 11 o'clock.

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Pro. N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsmouth, Monday April 26, 1736.

[P. 118.] Present as before—with Sh$^{a}$ Walton

[P. 119.] Pro. N. Hamp$^{r}$. At a General Assembly by adjournment Tuesday Ap$^{r}$ 27, 1736.

Present as before.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

April 28$^{th}$ 1736, Present as before.

The Petitioners for a new Parish in Derry appeared at the Board, as also the respondents & were fully heard & then the Petitions and Papers were sent down to the House by the Sec$^{y}$.

A Petition of the Quakers in Dover was read & sent down by the Secretary.

A Petition of the Inhabitants of Rochester to oblige the non resident Proprietors to pay to y$^{e}$ support of the ministry was read.

The Petition of Mrs. Penhallow to the Gov$^{r}$ & Coun. as Supreme Probate read.

A message to the Board by Messrs Stevens & Hall w^th^ the Treasurers acct. & several other accounts.

Adjourned til tomorrow 10 o'clock A. M.

---

[P. 120.] Pro. N. Hamp^r^ At a Gen^l^ Assem. held at Portsmo' Thursday Apr. 29, 1736.

Present in Coun.

His Excellency Jon^a^ Belcher, Esq. Gov^r^

| | | |
|---|---|---|
| Shad^a^ Walton | | Eph Dennet |
| Geo Jaffrey | | Josh^a^ Peirce |
| Joth Odiorne | Esqs. | Jos. Sherburne |
| Hen: Sherburn | | Ellis Huske |
| R Waldron | | Theo. Atkinson |

The vote of the House for appointing a Comitte to prepare a bill for calling in y^e^ residue of y^e^ £15000 loan was read & concurred w^th^ & is as follows.

Capt. Tho^s^ Phipps preferred a Petition in behalf of Lemuel Bufford w^ch^ was read & sent down by the Sec^y^.

A message to the Board by Mr. Stevens w^th^ Derry Petition & vote thereon, also the Treasurer's Gen^l^ Account curr^t^ pass^d^ as on file.

A message to the Board by Mr. Peirce with two votes viz for calling in y^e^ 1730£ & for Mr. Atkinson to pay 614: 6: 10 Exch^a^ money to Mr. Treasurer Sherburn.

P. M. A message to the Board by Mr. Walton w^th^ several votes viz. ab^t^ Mr. Atkinson as Sher. ab^t^ Mead: Rochester Petition, Bickford's Petition & Quakers Petition.

A message to the Board by Capt. Hall with a Bill for Docking an Intail according to Meaders Petition.

Adjourned til tomorrow 10 o'clock A. M.

---

Pro. N. Hamp^r^ At a Gen^l^ Assembly held by adjournment Fryday April 30^th^ 1736.

Present in Coun as before.

[P. 121.] A message to the Board by four members w^th^ a bill for supply of the Treasury and a vote for a Comittee to attend on Comiss^rs^ to settle the line.

Adjourned til tomorrow 10 o'clock A. M.

Pro. N. Hamp$^{r}$. At a Gen$^{l}$ Assembly by adjournm$^{t}$, May 1$^{st}$ 1736.

Present in Council as before.

Mr. Mc'Murphy Preferred a Petition, read & sent down by Mr. Atkinson w$^{ch}$ was returned by one of the members of the House Voted to be dismissed.

John Goff preferred a Petition which was read.

A message to the House by the Sec$^{y}$ & Mr. Atkinson w$^{th}$ the Treasury bill sent up yesterday & the Council proposal for amendm$^{ts}$ thereon.

Adj$^{d}$ til monday 10 o'clock.

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May 3$^{d}$ 1736. Met [and] Adj. til tomorrow 10 o'clock A. M.

[P. 122.] May 4, 1736. Met. Present in Coun. as before.

Pr. Parker, Stevens & Walton several Papers.

A message to the house by Mr. Atkinson w$^{th}$ a vote ab$^{t}$ Parrish at Derry.

Vide minute of Probates.

Answer to y$^{e}$ Gov$^{rs}$ Speech.

Treasury bill & answ$^{s}$ to amendments.

Adj$^{d}$ til tomorrow 10 o'clock A. M.

---

May 5, 1736. Met. Present as before [except Josh. Peirce]

His Excellency asked the advice of the Council for Issuing warrants for the payment of his Salary due the 25 of february last. To which the Council did advise and consent.

Adj til Saturday next, 10 o'clock A. M.

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[P. 123.] Pro. N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adjournm$^{t}$ Saturday May 8, 1736.

Present

His Excellency Jona. Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | } Esqs. | Eph$^{a}$ Dennet | } Esqs. |
| Geo. Jaffrey | | Josh$^{a}$ Peirce | |
| Joth Odiorne | | Jos. Sherburn | |
| Henry Sherburn | | Ellis Huske | |
| Rich$^{d}$ Waldron | | Theo. Atkinson | |

A message to the Board by Messrs Jennis and Peirce w^th^ Derry Petition & votes—also a vote ab^t^ Printing the Journal.

A message to the House by Messrs Odiorne & Peirce with the supply bill with the Council amendments.

Adj^d^ til tomorrow 10 o'clock A. M.

---

Monday May 10, 1736. Met. Present as before.

A Message to the Board by Messr^s^ Stevens & Smith w^th^ the Treasury bill—w^th^ y^e^ Council amendm^ts^—nonconcurred.

A message to the House by Messrs Waldron & Jos. Sherburn w^th^ a vote of y^e^ House relating to Mr. Atkinson's money as Sheriff

Adj^d^ til tomorrow 10 o'clock A. M.

---

[P. 124.] Tuesday May 11, 1736. Met. Present as before, [except George Jaffrey.]

Bickford bill by Gilman.

May 12, 1736. Met. Present as before.

A message from y^e^ Council to the House by the Sec^y^ & Capt. Peirce from the Council w^ch^ was read to them & left with them. Also a message from Go[v] read and left and then the Sec^y^ by his Excellency's order declared the Assem. dissolved.

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[P. 127.] Anno Regni Regis Georgii 2^d^ Decimo.

Pro. N. Hamp^r^.

At a general assembly held at Portsmouth, Tuesday, March y^e^ 8^th^ 1736–7.

Present in Council

His Excellency Jonathan Belcher, Esq. Gov^r^.

| | | | |
|---|---|---|---|
| Shad^a^ Walton | Esqs | Eph^a^ Dennet | Esqs |
| Geo. Jaffrey | | Josh^a^ Peirce | |
| Henry Sherburn | | Joseph Sherburn | |
| Rich^d^ Waldron | | Ellis Huske | |
| | | Theo^d^ Atkinson | |

The Sheriffs made their return of the writ for chusing Assembly men with their doings thereon by which it appeared that the following Persons were elected, viz.

| | |
|---|---|
| Port. | James Clarkson, Esq<br>Capt Geo. Walker<br>Capt John Rindge |
| Dover. | Paul Gerrish, Esq.<br>Paul Wentworth, Esq<br>Capt. Thom$^{s}$ Millet |
| Hampton. | Mr. John Smith<br>Sam$^{l}$ Palmer, jun. |
| Exeter. | Ca$^{pt}$. Peter Gilman<br>Mr. Nath$^{l}$ Gilman |
| N. Castle & Rye. | Joth. Odiorne, jr<br>Ca$^{pt}$. Rich Jennis |
| Kingston | —Trisrtam Sanburn |
| Hampton Falls | —Nath$^{l}$ Weare |
| Greenland | —Thomas Packer |
| Newington | —Geo. Walton |
| Strath. | —And$^{w}$ Wiggins |
| London Derry | —None |
| Durham | —Sam$^{l}$ Smith |

A message from his Excellency to the house by the Secretary & Josh$^{a}$ Pierce Esq. to administer the oaths &c. who reported that they had done it Except to Paul Gerrish Esq. who was not in the House.

[p. 128.] A message to the house by the Secretary from his Excellency to adjourn them til tomorrow 11 o'clock.

---

Anno Regni Re$^{s}$ Gii 2$^{d}$ Decimo
Pro. N. Hamp$^{r}$.

At a general assembly held at Portsm$^{o}$ by adjournm$^{t}$ Wednesday March 9, 1736[7]

Present in Council—[as before]

A message to his Excellency from the House of represent$^{s}$ to inform him that Capt. Gerrish one of the members for Dover, was come to the House, & to pray he might be sworn. Whereupon his Excellency sent the Secretary & Josh$^{a}$ Peirce Esq to adm$^{r}$ the oaths &c. to the said Gerrish—who reported they had done it.

A message from his Excellency to the House of Representatives by the Sec$^{y}$ to direct them to the choice of a Speaker and to present him to his Excellency.

[See Journal of the House, p. 716.]

A message to his Excellency from the House of Representatives by Mr. Parker & two other members to inform him that the House had chosen And$^{w}$ Wiggins Esq for their Speaker who was accepted.

Adj$^{d}$ til tomorrow 3 o'clock P. M.

---

[P. 129.] At a general assembly held at Portsm$^{o}$ by adjournment Thursday March 10 '36.

Present in Council—as before

Anno Regni Regis Geo$^{ii}$ 2$^{d}$ Decimo.

A message to his Excellency with an answer to his Speech as follows:

[See Journal of the House, p. 717.]

As also to the Council with several votes, (viz.) Vote for a Comittee to prepare a bill for calling in y$^{e}$ 15,000£ loan vote for comitte of Audit. Vote for Emission of 3000£ to Exch$^{a}$ old bills.

Robert Boyes presented a petition to the Board relating to Derry Town meeting, read.

Mr. Wm. Parker presented a Petition to exempt Presbyterians from paying to a Congregational Minister at Chester, Read.

John Goffe jun. proposed a Petition for a Special Act to enable the Sup$^{r}$ Court to grant Executions &c. Read.

Thomas Wallace presented a Petition about new meeting house at Derry.

Mr. Wm. Parker presented a petition for a Special Act to tax the non-resident Proprietors of Rochester to the minister for 7 years read.

Presented a Petition praying the Gen$^{l}$ Court to accept the return of the Comitte who viewed the Parish of Hampton Falls.

A message to the House by Mr Dennet to Inform them that Geo Jaffery, Eph. Dennet, & Ellis Huske Esqrs. are appointed to be of the Comitte of Audit, & would act upon the affair tomorrow as soon as they pleased.

Adj$^{d}$ til tomorrow 3 o'clock P. M.

---

[P. 130.] Pro. N. Hamp$^{r}$ At a Gen$^{l}$ Assembly held at Portsmouth by adjournm$^{t}$ friday March 11, 1736–7

Present in Council as before.

Adjourned til tomorrow, 10 o'clock A. M.

Anno Regni Regis Georgii 2di Xmo.

Pro. N. Hampr

At a General Assembly held at Portsmo by adjournmt Saturday March 12, 1736–7.

Present in Council as before.

Lemuel Bickford presented a Petition to the Board relating to a Case with Benja Richards which was read.

A message to the Board by Mr. Parker with Capt Harts petition & vote abt 1730£.

Adjourned til Monday next 3 o'clock P. M.

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[P. 131.] Pro. N. Hampr At a Genl Assembly by adjournmt Monday March 14, 1736–7.

Present in Council as before

A message to the Board by Mr. Clarkson wth a vote to view the Fort, & another to view the prison as follows.

A message to the House by Mr Sheriff Russel to inform them the Coun had concurred with ye above Votes relating to ye Fort & Prison.

Adjourned til tomorrow 3 o'clock P. M.

---

Pro. N. Hampr At a Genl Assembly held at Portsmo. by adjournmt Tuesday March 15, 1736–7.

Present in Coun.

His Excellency Jona. Belcher, Esq. Govr

Shada Walton, Geo. Jaffrey, Hen. Sherburne } Esqs.

Ephra Dennet, Jos. Sherburne, Ellis Huske, Theo. Atkinson } Esqs.

Anno Regni Regis Georgii 2di *nono?*

A message to the Council by Mr. Clarkson & Mr. Odiorne wth the Treasur's Account Curr'd. Vote for a Recorder & Vote abt Hughes & Ambler's mony Pr Millt & pr Mr. Gilman to desire Mr Boyes might be sworn.

Adjourned til tomorrow, 10 o'clock A. M.

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[P. 132.] Pro. N. Hampr At a Genl Assembly held at Portsmo by adjournmt Wednesday March 16, 1736–7.

Present

His Excellency Jona. Belcher, Esq. Govr

[and Council as before]

A message to y^e House by Jos. Sherburn & Theod. Atkinson Esqs. to Swear Mr. Boyes.

A message to the Board by Mr. Boyes & Another member of y^e House w^th a vote to allow Mr. Atkinson 2½ pr cent for Exch^a &c.

William Hill preferr'd a Petition to Dock an Intail, Read. Christian Baker, Petition Read

Adjourned til tomorrow, 11 o'clock A. M.

---

Pro. N. Hamp^r At a Gen^l Assembly held at Portsmouth by adjournm^t Thursday 17^th 1736–7.

Present in Coun. as before

A message to the Board by Messrs Gerrish, Clarkson & Walker, with a bill for Supply of the Treasury. Report ab^t Fort & Goal & Certificate of Agency of y^e House in Great Britain, which was read.

Adjourned til tomorrow 11 o'clock A. M.

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[P. 133.] Pro. N. Hamp^r. At a General Assembly held at Portsmouth, Friday March 18, 1736–7

Present in Coun. as before.

Anno Regni Regis Georgii 2di Xmo.

P. M. The Treasury Bill read a second time.

A message to the Board by Messrs Clarkson, Parker & Walton, with a vote a Tax of 600£ & to thank his Excel^y in the name of the House for a sight of the Report of y^e Right Hon^ble y^e Lds of Trade to the Comitte of Council.

In Coun: Voted that Geo. Jaffrey, Eph^a Dennet and Capt. Huske examine the vouchers of the several Articles in the Treasury Bill & make report tomorrow at 10 o'clock A. M. Adjourned, till tomorrow 10 o'clock.

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Pro. N. Hamp^r At a Gen^l Assembly held at Portsm^o by adjournm^t Saturday March 19^th 1736–7.

Present in Coun: as before.

[P. 134.] A Petition of Mr President Walton read.

A message to the Board by Mr. Clarkson, to inquire whether any thing will be sent to the house this day.

Answered by Capt. Huske nothing will be sent down to day.

Adjourned til Monday next, 3 o'clock P. M.

Pro. N. Hamp$^{r}$. At a General Assembly held at Portsmouth by adjournm$^{t}$ Monday March 21$^{st}$ 1736–7.

Present in Council as before.

The Treasury bill read again debated & passed with amendments & additions.

Adjourned til tomorrow, 10 o'clock A. M.

---

Anno Regni Re$^{i}$ G$^{ii}$ 2$^{di}$ Xmo.

Pro. N. Hamp$^{r}$. At a Gen$^{l}$ assembly held at Portsm$^{o}$ by adjournm$^{t}$ Tuesday March 22$^{d}$ 1736–7.

Present in Coun: as before.

[P. 135.] A message from the Board to the House of Representatives by Geo. Jaffery, Jos. Sherburn & Theod$^{re}$ Atkinson, Esqs. with the Treasury Bill & the Council Amendm$^{ts}$ & additions thereto passed yesterday.

A message to the Board by Mr. James Jeffery Clerk of the Representatives to show how the article for the Council is justifyed in y$^{e}$ Treasury bill.

Adjourned til tomorrow, 10 o'clock

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Pro: N. Hamp$^{r}$ At a Gen$^{l}$ Assembly held at Portsmouth by adjornm$^{t}$ Wednesday, March 23, 1736–7.

Present in Council

His Excellency Jona. Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Josh$^{a}$ Peirce | Esqs. |
| Geo. Jaffrey | | Jos. Sherburn | |
| Henry Sherburne | | Theo. Atkinson | |
| Rich$^{d}$ Waldron | | | |

A message to the Board by Mr. Clarkson & two more members with the Treasury Bill & y$^{e}$ Council Amendments & the Representatives Answer to the Council Amendm$^{ts}$ all which were read & a concurrence voted to the amendments of y$^{e}$ House as entered thereon, which were sent down to the House by Geo. Jaffery, Josh$^{a}$ Peirce, Joseph Sherburn & Theod$^{re}$ Atkinson, Esqs.

[P.136.] Anno Regni Regis Geo$^{ii}$ 2$^{di}$ Xmo.

The Petition of Mr President Walton read a second time & recommended to the consideration of the House in a message by Eph$^{a}$ Dennet & Ellis Huske Esqs.

Mr. Huske Petition read & a vote of concurrence pass'd w$^{th}$ the vote of representatives giving him leave to bring in a bill.

A message to the Board by Messrs Rindge & Boyes to inform the House of Represent$^{s}$ had concurred with y$^{e}$ last amendm$^{ts}$ of the Suply bill.

Hampton Fall new Parish Petition read & recomended.

Lemuel Bickford's Petition read & recomended.

Derry Petition ab$^{t}$ disorderly Town meeting read and recomended.

Derry Petition ab$^{t}$ meeting house read & recomended.

John Goff's Petition & vote for leave to bring in a bill.

Presbyterian Petition read & recomended.

Hill's Petition to Dock an Intail read & leave to bring in a bill.

Vote for a Comitte to draw a bill for calling in the 15000£ loan read a second time & concurred

Vote for calling y$^{e}$ 1630£ (1) read & concurred with amendm$^{ts}$.

Vote for a tax of 600£ Read & Concurred.

Adjourned til tomorrow, 10 o'clock A. M.

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[P. 137.] Pro: N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adjournm$^{t}$ March 24 1736–7.

Present in Coun:

His Excellency Jon$^{a}$ Belcher Esq. Gov$^{r}$.

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Eph$^{a}$ Dennet | Esqs. |
| Geo. Jaffrey | | Josh$^{a}$ Peirce | |
| Joth. Odiorne | | Jos. Sherburn | |
| Rich$^{d}$ Waldron | | Ellis Huske | |
| Benj$^{a}$ Gambling | | Theo. Atkinson | |

Henry Sherburn, Esq.

A message to the Board by Josh$^{a}$ Peirce & Jos. Sherburn with the seven Petitions read & passed upon yesterday P. M. viz.

for a new parish at Hampton falls: Lemuel Bickford's, 2 Derry Petitions ab$^{t}$ disorderly town meetings & ab$^{t}$ the new Parish there, John Goff's Petition, Presbyterian Petition & Hills Petition.

(1) Probably for 1730£.

A message to the Board by Messrs Smith of Hampton & Boy[e]s w^th^ the six following Petitions sent down in the morning, viz. 2 Derry Petitions, Hampton falls petition, Goff's Petition Presbyterian Petition, Hill's petition—all w^ch^ are passed.

A message to the House by Capt. Huske w^th^ the vote for calling in y^e^ 1730£ with y^e^ Council amendm^ts^ thereon.

The vote for a Recorder read and concurred as follows—

The vote for Emitting 3000£ for Exch^a^ read & concur'd w^th^ an amendment.

Rochester petition read & recomended.

Vote for allowing 2½ pr cent to Mr. Atkinson passed.

Adjourned till tomorrow, 10 o'clock A. M.

---

[P. 138.] Anno Regni Regis Georgii 2^d^ Xmo.

Pro: N. Hamp^r^. At a general assembly held at Portsmouth March 25 1737 being fryday.

Present in Council as before.

A message to the Board by Messrs Odiorne & Palmer w^th^ a vote of the House of Representatives for calling in y^e^ 1730£ with y^e^ Councils amendm^t^ nonconcurred, and another vote of the House for calling in y^e^ same, w^ch^ the Council concurred.

Also another vote for chusing a Comitte to ascertain the Denomination of the Bills Passed & concurred.

A message to the House by Col^o^ Jos Sherburn with Rates, Petition & the vote Emitting 3000£ for Exch^a^ to be reconsidered & amended.

Mr. Parker Presented a Bill in behalf of John Goff jun by y^e^ leave of the Court w^ch^ was read & passed to be Enacted & sent to the House by Josh^a^ Peirce Esq. for concurrence.

Adjourned til tomorrow, 10 o'clock A. M.

---

[P. 139.] Anno Regni R^'is^ Geo^ii^ 2^di^ 10

Pro. N. Hamp^r^ At a Gen^l^ Assembly held at Portsm^o^ by adjournm^t^ Saturday March 26, 1737.

Present in Coun.

His Excellency Jona. Belcher, Esq. Gov^r^.

| | | | |
|---|---|---|---|
| Shad^a^ Walton | | Eph^a^ Dennet | |
| Geo. Jaffrey | | Jos. Sherburn | Esqs. |
| Joth Odiorne | Esqs. | Ellis Huske | |
| Henry Sherburn | | Theo. Atkinson | |
| Rich^d^ Waldron | | | |

A message by Messrs Millet & Walton w^th^ Rochester petition & vote of leave to bring in a Bill, also a vote for a Comitte to sign bills.

A message to the Board by Messrs Clarkson & Parker w^th^ a vote for a Committee to repair y^e^ Goal & another the Fort

Adjourned til tuesday next, 10 o'clock A. M.

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Pro: N. Hamp^r^. At a Gen^l^ assembly held at Portsm^o^ by adj^t^ tuesday, March 29, 1737.

Present in Council [as before].

Mathew Livermore, Esq. attorney General Presented to the Board two Bills which he had drafted by order of the Court one for calling in y^e^ 1730£ loan & the other y^e^ residue of y^e^ 15000£ loan, passed & sent down by Capt. Jos. Sherburn.

[P. 140.] Mr. Clarkson preferred a Petition relating to the parishes in Portsm^o^ read & a vote thereon made & sent down by Mr. Atkinson.

Hill presented a bill by leave of y^e^ Court and Capt Hart another which were read & passed upon & sent down by Mr. Atkinson.

Anno Regni Re'^is^ G^ii^ 2^di^ Xmo.

The Presbyterian Petition read & the Petitioners & Respondents appeared & were fully heard, sent down pr Atk^n^.

A message to the Board by Messrs Clarkson & Walton w^th^ the petitions ab^t^ Portsm^o^ Parishes concurred.

A message to the House by Capt. Huske w^th^ the petition for a new Parish at Hampton falls.

The Petitions representing a disorderly town meeting at Derry Read & both partys appeared and were fully heard.

Also the Derry Petition about Parishes read & both Parties fully heard & then both petitions sent down to the House by Mr. Dennet.

A Petition subscribed John Gilman & John Brown as a Comitte of Gilmanton praying to be Enabled to recover the taxes of non residents read & sent down pr Sec^y^.

Adjourned til tomorrow, 10 o'clock A. M.

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[P. 141.] Pro: N. Hamp^r^. At a Gen^l^ assembly held at Portsm^o^ by adjournm^t^ Wednesday March 30, 1737.

Present in Coun
His Excellency Jon$^{a}$ Belcher, Esq. Gov$^{r}$.
[Council as before, with Benj$^{a}$ Gambling.]

A message to the Board by Messrs Rindge & Gilman w$^{th}$ the Bill for calling in the 1730.

A message to the Board by Messrs Millet and Sanborn w$^{th}$ the bill for a six hundred pound tax for calling in y$^{e}$ residue of y$^{e}$ 15000£ loan.

Bill to Dock an Intail for Hill, Goff's Bill, Hart's Bill, a message to the House by the Sec$^{y}$ to inform them the Council had concurred with allowing Mr. Atkinson 2½ per cent & the vote of the House appointing 2 of the House to sign bills & to propose a third.

A Hearing on the Petition of Portsm$^{o}$ ab$^{t}$ Parrishes was had & a vote y$^{re}$on and sent down by Capt. Huske, also Mr. Atkinson's vote to be entered in their Book w$^{ch}$ was returned & delivered y$^{e}$ Treas$^{r}$.

A message to the Board by Messrs Smith & *Smiths ?* with Roches$^{r}$ Bill & Presbyterian petition & vote for 3 signers.

Mr. Attorney Livermore presented a bill for the Emission of 3000£ which was read & sent down by Mr. Dennet, also a Petition of y$^{e}$ reverend Mr. Blunt, Presented to the Board then and read this day.

A Bill to make a new Parish at Hampton Falls, was presented and read at the Board, and sent down pr Capt. Huske which was returned concurred.

Adjourned til Fryday next 9 o'clock A. M.

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[P. 142.] Anno Regni Regis Geo$^{ii}$ 2$^{di}$ Xmo.

Pro: N. Hamp$^{r}$. At a Gen$^{l}$ Assembly held at Portsm$^{o}$ by adjournm$^{t}$ April 1$^{st}$ 1737, being Fryday.

Present in Council [as before].

A Petition of George Walton jun. Directed to the Governor & Councill touching a tract of land reserved for Mr. Allen's children, Read.

A Petition preferred by Mr. Coleman Complaining of a disorderly Town meeting at Newington read and sent down by Mr. Atkinson.

A message to the Board by Mr. Boyes & another memb$^{r}$ w$^{th}$ London Derry Petition ab$^{t}$ Town meeting & votes thereon, concurred in Council, also a vote.

Prorogued to 6 July next.

[P. 143.] Anno Regni Regis Georgii 2di undecimo.

Pro: N. Hamp$^{r}$. At a General Assembly held at Portsmouth by Prorogation Thursday August 4, 1737.

Present in Coun.

Mr. President Walton.

| | | | |
|---|---|---|---|
| Geo. Jaffrey<br>Jotham Odiorne<br>Henry Sherburn | Esqs. | Rich$^{d}$ Waldron<br>Benj$^{a}$ Gambling<br>Eph$^{a}$ Dennet | Esqs |

Ellis Huske, Esq.

Mr. President Walton laid before the Board an order from his Excellency the Gov$^{r}$ for proroguing the Gen$^{l}$ Assembly to Hampton, to be held there on the Wednesday the 10$^{th}$ curr$^{t}$. Then the Secretary was sent to the House of Representatives by the President to declare to them his Excellency's pleasure that the General Assembly should be prorogued to the 10$^{th}$ of Aug$^{st}$ curr$^{t}$ then to be held at Hampton.

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Pro. N. Hamp$^{r}$. At a General Assembly held at Hampto' falls by Prorogation August 10, 1737 being Wednesday.

Present in Coun.

His Excellency Jon$^{a}$ Belcher Esq. Gov$^{r}$.

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton<br>Joth Odiorne<br>Henry Sherburn<br>Rich$^{d}$ Waldron | Esqs. | Eph$^{a}$ Dennet<br>Jos. Sherburn<br>Ellis Huske | Esqs. |

A message to his Excellency from the House of Representatives by Capt. Gilman & Mr. Jennis to acquaint the Gov$^{r}$ that there was a Quorum of the House convened.

[P. 144.] His Excellency sent the Secretary with a message to the House of Representatives to require their attendance at the Council Board, the Speaker & House came up accordingly to whom his Excellency was pleased to make the following Speech: Gen$^{ts}$, &c.

[See Journal of the House, p. 734.]

The Speaker obtained of his Excellency a copy of the foregoing Speech & then he & the House withdrew to their own Chamber.

Adjourned til tomorrow 10 o'clock A. M.

Pro. N. Hamp$^{r}$. At a General Assembly held at Hampton falls by adjournm$^{t}$, thursday Aug$^{t}$ 11, 1737.

Present in Coun.

Henry Sherburn, Rich$^{d}$ Waldron } Esqs. Eph. Dennet, Jos. Sherburn } Esqs.

Ellis Huske, Esq.

A message to the House of Representatives from the Council by the Sec$^{y}$ to enquire whether there was a Quorum of the House convened, who returned there was but two of the members then come together.

The Coun. sent the Sec$^{y}$ with a second message to the House of Rep$^{t}$ to inquire whether there was a Quorum convened & whether they had prepared any thing to lay before the Council who returned that there was but four members come together & that the Speak$^{r}$ was not there.

Adjourned til tomorrow 10 o'clock A. M.

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[P. 145.] Anno R$^{ni}$ R'$^{is}$ Geo$^{ii}$ 2$^{di}$ undecimo.

Pro. N. Hamp$^{r}$. At a General Assembly held at Hampton falls by adjournm$^{t}$ Fryday, Aug$^{t}$ 12, 1737.

Present in Coun.

His Excellency Jona. Belcher, Esq. Gov$^{r}$

Shad$^{a}$ Walton, Geo. Jaffrey, Joth Odiorne, Henry Sherburn } Esqs. Rich$^{d}$ Waldron, Eph. Dennet, Jos. Sherburn, Ellis Huske } Esqs.

Theo. Atkinson, Esq.

Adjourned til 3 o'clock P. M.

Met according to adjournment.

Present as before.

The petition of the Selectmen of Hampton falls praying for an act to ascertain the Bounds between their Parish and that of Kinsington read and voted & sent down by Capt. Huske.

The petition of y$^{e}$ South Parish of Portsm$^{o}$ read & a vote made thereon, & sent down by Capt. Huske.

The petition ag$^{st}$ Newington Town meeting Read and both Partys heard & voted to be dismissed & sent down by Capt. Huske.

Mr. William Parker one of the Clerks of the Hon$^{ble}$ Court of Commissions for setling the Prov. boundary, presented to this Board a recommendation in writing for an agreement on Draft of Merrimack & Newchawanock river w$^{ch}$ was read & then returned to the s$^{d}$ Mr. Parker to be by him delivered to the House of Representatives.

Adjourned til tomorrow, 10 o'clock A. M.

---

Met according to adjournment. Present as before.

[P. 146.] A message to the Board from the House of Representatives by two of their members, with a vote for a Comitte to agree upon Drafts, &c. A message to the Board from the House by one of their members with Hampton falls petition & votes thereon.

Adjourned til Wednesday next 3 o'clock P. M.

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Aug. 17, 1737. Met and adjourned til tomorrow 10 o'clock A. M.

[P. 147.] Aug. 18, 1737. Met according to adjournm$^{t}$.

A message to the Board by Messrs Walker & Clarkson w$^{th}$ the petition of the South parish in Portsmouth & vote thereon which were returned to the House for reconsideration by the Secretary.

The Petition of New Market for pow'rs additional read & sent down, also the petition of Hampton ab$^{t}$ Rye bounds, pr. Capt. Huske

Post Meridiem.

A message to the Board by William Parker with a vote for signing off y$^{e}$ blank 500£ also Portsm$^{o}$ Petition & Hampton Petition ab$^{t}$ Rye bounds.

Adjourned til tomorrow 10 o'clock A. M.

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Anno Regni Regis Geo$^{li}$ 2d$^{i}$ undecimo.

[P. 148.] Pro: New Hamp$^{r}$

August 19, 1737. Present in Council as before.

A message to the House with a vote of Council ab$^{t}$ Portsm$^{o}$ Parishes sent down by y$^{e}$ Sec$^{y}$ return'd by Mr. Sanborn.

The Secretary laid before the Board, a Plan of the Merrimack, with two papers annexed, sent from the Gen$^{l}$ Assem. of the Mass$^{a}$ Bay w$^{ch}$ were sent to the House by the Sec$^{y}$.

The Selectmen of Hampton falls presented a bill ab$^{t}$ Kensington bounds read & voted to be Enacted & sent down by the Sec$^{y}$.

Adjourned till tomorrow, 10 o'clock A. M.

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Aug. 20, 1737—being Saturday.

Present in Council—as before

A message to the Board by Messrs Sanborn & Smith w$^{th}$ additional Bill ab$^{t}$ Kensington (passed) and additional Act for New Market (passed).

Adourned til tomorrow 10 o'clock A. M.

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[P. 149.] Aug. 23, 1737, met and adjourned

Aug. 24, 1737, met and adjourned

Aug. 25, 1737, met

Vote of Coun for a plan sent down by y$^{e}$ Sec$^{y}$ returned non concurr'd.

Adjourned til tomorrow 10 o'clock A. M.

[P. 150.] At a General Assembly held at Hampton by adjournment, Friday August 26$^{th}$ 1737.

Present in Council

His Excell$^{y}$ Jonath$^{n}$ Belcher, Esq.

Henry Sherburn, Rich$^{d}$ Waldron } Esqs — Ephraim Dennet, Jos Sherburn } Esqs.

Ellis Huske, Esq.

Vote sent up ab$^{t}$ Plan by Mr. Sanborn agreed to.

At a motion made by the Council unanimously for a recess for the General Assem. for 3 or 4 days his Excellency is pleased to adjourn the General Assembly to Wednesday next 10 o'clock A. M. y$^{e}$ Sec$^{y}$ sent to the House to tell y$^{m}$ so.

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Wednesday, Aug. 31, 1737.

Met and adjourned.

[P. 151.] Thursday, Sept. 1, 1737. Met and adjourned.

Fryday, Sept. 2, 1737.

This day the Council non-concurred the Representatives vote dated 18 Aug$^{st}$ last for signing of 500£ now blank in the Treasury.

A message to the Board by Mr. Boyes with the Presbyterian Petition of Chester voted in the House of Representatives to be dismissed, ordered in Council to lye for further consideration.

The petition of George Walton, jun. to the Gov$^{r}$ & Council praying for confirmation of a tract of land, this day read & ordered to lye for consideration.

The petition Rob$^{t}$ Row and John Swain praying to be polled off to Kensington read and ordered to lye for further consideration.

[P. 152.] This day his Excellency was pleased to give his consent to a Bill for ascertaining the Bounds of Kensington & a Bill to Enlarge the powers of the Parish of New Market.

A motion being made & seconded that his Exc$^{y}$ would be pleased give y$^{e}$ Gen$^{l}$ Court a recess (the Court of Comiss$^{s}$ being adjourned) & the whole Council joyning in y$^{e}$ request.

His Excellency was pleased to order that the General Assembly should be prorogued to Thursday the 13$^{th}$ Oct. next, 10 o'clock A. M. then to meet at the House of Moses Blake in Hampton Falls and the said Gen$^{l}$ Assembly was prorogued accordingly.

Prorogued to Thursday, Oct. 13, 1737.

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Pro. N. Hamp$^{r}$.

At a Gen$^{l}$ Assembly held at Hampton Falls by Prorogation Thursday Oct$^{r}$ 13, 1737.

Present in Council

His Excellency Jona Belcher Esq Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Ellis Huske | Esqs. |
| Henry Sherburne | | Geo. Jaffrey | |
| Rich$^{d}$ Waldron | | Joth Odiorne | |
| Jos. Sherburn | | Theo$^{re}$ Atkinson | |

Eph$^{a}$ Dennet, Esq.

Court of Assembly adj. til Saturday, 10 A. M.

A message to his Excellency by Messrs Parker & Smith to inform that a Quorum of the House was convened: To

whom his Ex. replyed that if there was any busyness lying before the House he would have them proceed upon it.

A message to the Board by Messrs Rindge & Sanburn w$^{th}$ a vote for a Comitte to examine the accounts of y$^{e}$ Comitte employed ab$^{t}$ y$^{e}$ line w$^{ch}$ was returnd by the Secretary & proposed that the Comitte should be authorized to Examine all accounts of claims & that the House should send up to the Board the accounts of the Comitte employed about the lines.

Adjourned til tomorrow, 10 o'clock A. M.

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[P. 153.] Oct. 14, 1737. [Met and adjourned.]

Oct. 15, 1737. [Met—]

Message to y$^{e}$ Board by one of the members with a vote for signing y$^{e}$ 500£ in y$^{e}$ Treasury.

Adjourned til Monday 10 o'clock A. M.

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[P. 154.] Pro. N. Hamp$^{r}$. At a General assembly held at Hampton Falls according to adjournment, Monday, Oct. 17, 1737.

Present in Coun:

His Excellency Jona. Belcher, Esq. Gov$^{r}$

| | | | |
|---|---|---|---|
| Shad$^{a}$ Walton | Esqs. | Eph$^{a}$ Dennet | Esqs. |
| Geo. Jaffrey | | Joth. Odiorne | |
| Henry Sherburn | | Jos. Sherburn | |
| Rich$^{d}$ Waldron | | Ellis Huske | |

A Message to the Board by Messrs Parker & Walton with a vote for striking off 1000£ in bills to carry on the affair of the lines, and another vote for Mr. Tomlinson to be agent, and desired to know whether the Council has passed upon the vote of the House for signing y$^{e}$ 500£ sent up Saturday & desired the accounts might be sent down.

A message to the Board by Mr. Clarkson with a vote for setling acc$^{ts}$ with the Mass$^{a}$ Comitte, &c.

A vote of Council was made upon the account Curr$^{t}$ of the Comitte for settling the loan & ordered to be sent down w$^{th}$ accts, & y$^{e}$ particular acts of y$^{e}$ s$^{d}$.

The vote of the House for signing the blank 500£ was non-concurred & ordered to be sent down.

The vote of the House for striking a 1000£ bills was non-concurred and ordered to be sent down.

The vote for an agent was non-concurred (& y^e^ reason given) and ordered to be sent down.

A vote of the Council to put 1500£ into the Treasury and for paying y^e^ Com^rs^ 30*s* pr day as N. Hamp^r^ half of their recompense was made and ordered to be sent down for concurrence.

His Excellency asked the consent of the Board for Issuing his Warr^ts^ on the Treasury for paym^t^ of his salary as y^e^ same shall become due by law, to which they advise and consent.

Adjourned til tomorrow 9 o'clock A. M.

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[P. 155.] Pro. N. Hamp^r^. At a Gen^l^ Assembly held at Hampton Falls by adjournment Thursday Oct. 18, 1737.

Present in Coun:

His Excellency Jona. Belcher, Esq. Gov^r^

Henry Sherburn, Rich^d^ Waldron, Eph^a^ Dennet } Esqs.

Jos. Sherburn, Ellis Huske, Shad^a^ Walton } Esqs.

Geo. Jaffrey, Joth. Odiorn, Theo. Atkinson, } Esqs.

A message to the House by the Sec^y^ w^th^ y^e^ 5 votes last mentioned w^ch^ were ordered to be sent down yesterday.

Adjourn'd til tomorrow 10 o'clock A. M.

---

Oct. 19, 1737. [Met according to adjournm^t^.]

A message to the Board by Mr. Parker with a vote for settling accounts w^th^ Mass^a^.

The Presbyterian Petition of Chester read & agreed & the opposite party heard & a vote made thereon & sent down by the Sec^y^.

P. M. The petition of Hampton ag^st^ Rye read & both parties heard, and the petitions sent down by Capt. Huske.

A message to the Board by one of the members w^th^ the vote of Council for putting 1500£ into the Treasury non-concurred.

[P. 156.] A message to the Board by one of the members

w^th^ a vote for signing the 500£ in y^e^ Treasury & striking 500£ more.

Adjourned til tomorrow 10 o'clock A. M.

---

Thursday, Oct. 20, 1737.

Present in Council as before

A message to the Board by Mr. Boyes w^th^ the Presbyterian petition and votes thereon as follows.

The Council read & non-concurred the vote of the House sent up yesterday for settling acc^ts^ with Mass^a^ w^ch^ was sent down by Mr. Dennet.

By him also was sent down a vote of Council for putting 500£ into the Treasury to pay the Com^rs^

A message to the Board by one of the House for striking 1000£.

A Vote of the House of y^e^ 28 curr^t^ ? (1) for signing y^e^ 500£ in y^e^ Treas^y^ & striking 500 more read & non-concurred.

By the unanimous request of the Council his Ex^cy^ was pleased to prorogue y^e^ Gen^l^ Assem. to Wednesday the first of March next at 10 o'clock A. M. then to meet at y^e^ Court House at Portsm^o^.

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[P. 157.] Pro. N. H. At a Council held at Hampton Falls, Thursday Oct. 20, 1737.

Present in Council

His Ex. Jon^a^ Belcher, Esq. Gov^r^

| | | | |
|---|---|---|---|
| Geo. Jaffrey<br>H.. Sherburn<br>Rich^d^ Waldron | } Esqs. | Eph^a^ Dennet<br>Jos. Sherburn<br>Ellis Huske | } Esqs. |

Theo. Atkinson, Esq.

Mathew Livermore, Esq. Presented a Petition subscribed by about 50 persons praying for a Grant of Land within y^e^ Province w^ch^ was read & ordered that the Petitioners have leave to prepare & present a Charter to the Board, which was done & the same was passed & ordered to be sealed.

His Excellency was pleased to acquaint the Board that he had lately received several complaints of Clandestine marriages consumated by virtue of Licenses granted within this Province & therefore proposed that to prevent the like for the future, an order sh'd be sent to the Pres^dt^ not to grant any more licenses without his Excellency's permission which was as follows: vide file.

(1) 18 Aug't. Ed.

# THE THOMLINSON CORRESPONDENCE.

CORRESPONDENCE, chiefly between Theodore Atkinson, Esq., of Portsmouth, and Capt. John Thomlinson, agent of the Province in London, relating mostly to the settlement of the boundary lines between the Massachusetts Bay and New Hampshire: This Correspondence is of great historical value, and should be carefully examined. ED.

[Copied from "Belknap Papers" in a MS. volume belonging to the Library of the New-Hampshire Historical Society, in Concord.]

## No. 1.

[P. 1.] *Letter from Theo. Atkinson, Esq. to Capt. John Thomlinson.*

Capt. Thomlinson—

Sir — The last from you was by Capt. Ring, since which we have heard nothing from London but transiently by the Man of Warr who gave us some acc$^{t}$ of the resentment of the House of Commons of Mr. Dunbars treatment, offered by the House of Representatives at Boston, & if a strict Enquiry should be made into that affair I am of oppinion his Excellency would be brought in for parte—which I believe Mr. Cook would Declare, having lately been displaced from the Judge's office of the Inferior Court by the Gov$^{rs}$ Influence. We are impatient till we hear what success the affair of the lines will meet with, tho' can't expect a determination till the Mass$^{a}$ hath had time to answer, who Boast much of their Interest ag$^{t}$ New Hamp$^{r}$ which still we disbelieve: this Goverm$^{t}$ having never in one article disobeyed the Crown but have in every thing complyed with the King's Instructions, however the Dispute on the controverted Land will increase I suppose. *Coll. Dunbarr who is now with us*, & was an Eye witness of the Haverhill peoples behaviour the last week hath represented the affair home to the several Boards, how they came with fire arms &c. to take away grass at least Ten miles from the river—I wrote you how we Mr. Wentworth & myself were rejected by the Gov$^{r}$ upon showing him our Mandamus (1) which I think very Extraordinary he not assigning any reason when he took them 'tis impossable for me to say any more than that he hath disobeyed the King's positive comand, & I imagine will not receive thanks therefor, 'tis probable he will send home some reasons but must make them himself, otherways he would have Entered them with the Secretary which he never did and which his Instructions in case of a suspension of any [P. 2] member of that Board obleigidges him to do, however 'tis *vic Volo sic Jubeo*, however I never desire to sustain any post of that nature longer than I am determined to act & speak my oppinion which I am determined shall always be rectified by the dic-

(1) See p. 794, this volume. ED.

tates of a right reason & a good conscience, & God forbid I should live to see the day when such a voyce should either dishon$^{r}$ my Sovereign or injure my country however I think it hard as well as Extraordinary to be rejected after obtaining a posative *mandate?* upon a solemn hearing at home, but those extraordinary acts here are now a days to frequent to be call'd a raryty. I should be glad if you'd pay my Hon$^{r}$ to Coll. Bladen, that Gentleman I am inform'd th$^{t}$... spoke favorable of me in the affair of the Petition before their Lordships & gratitude will always oblige me to make a hearty acknowledgment of such an hon$^{r}$.

I have not to this moment heard one single word from Antigua & know not whether the ship Antigua gally be arrived here or not but hope if she did not miscarry in her passage Capt. Sutcliff hath wrote you to make Insurance for my interest which I would have you do in case she is at Antigua which you'l know by Capt. Ring or some other vessel. I would insure the value of my concern which you are as good a Judge as I am. I am Determined to sell my part & do desire you'd get her of for the most you can & receive the freight & settle with Capt. Sutcliff. You have my full power to act in any affairs with you: you I acknowledge have been verry good & I as troublesome, I think I have been mightily treated by the Gentlemen in the West Indies & therefore have followed your advise in sending a Power to Capt. Sutcliff to settle my accounts having not rec$^{d}$ one [p. 3] Penny since last fall, & all the wines she carryed there the last year behinde yet as he will have the comand my parte I have ordered him to put the ship & freight into your hands I am this moment informed that this ship by whom this goes, goes via Lisbon but makes no tarry there & will be consigned you if she delivers at London. I have alsoe seen Mrs. Rindges letter from you giving an acc$^{t}$ of Sutcliff's arrivall at Antigua, which as I mentioned is the whole acc$^{t}$ I have had but hope he hath not omitted writing you for Insurence.

We shall send what we think necessary relating to the Lines by a ship from hence in about fourteen days, I mean as a Comittee appointed for that end to write to Capt. Rindge or whom he should leave the affair with. We all heartily rejoyce that 'tis placed in your hands, 'tis the person I advised him too, I have often told the Assembly so who are very well pleased. I shall write you by Collins and in the mean Time subscribe myself your very humble serv$^{t}$.

Aug$^{st}$ 14, 1733. Theod. Atkinson.

Superscribed--"To Capt. John Thomlinson
Merch$^{t}$
pr. Capt. Estwick London"

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No. 2.

[Probably from the same, to Mr. Thomlinson.]

28$^{th}$ Feb$^{ry}$ 1733-4, by Capt. Collings

[p. 5.] S$^{r}$

With this you'l receive the House of Representatives adress to his majesty as alsoe their Comittees Letter by way of adress to the L$^{d}$ Commissioners for Trade & Plantations. Likewise several votes of

the House in y^r^ Late Sessions in this Province & some of the votes of the Massachusetts Assembly, and as all those will go open to you 'tis needless to mention any thing in them again, & I would observe that the Township No. 4 mentioned in y^e^ votes at a place called Amoskeag is about 15 miles at least above Dunstable on the river described in Capt. Rindge's draught so that their Lordships may see how that Goverm^t^ is dayly Encroaching upon the Kings Province besides that very land hath been granted by this Goverm^t^ above 12 years and doth belong to the Town of Chester which is a regular well settled town & hath an ordained minister there, but they imagine the settle^mt^ of the lines will not affect property & so are determined to take possession of allmost all the Kings Lands, however we are in great hopes that controversy is Determined ere this & in such a manner as will Quiet this Province from any disturbance of their neighbors.

You'l observe by the several adresses that we have still one more favour to ask of his Majesty, that is a Permission to Emit about 50 or 60,000 this currency for which we propose this skeem that by the act of Gen^l^ Assembly the whole Province shall be security & the money so made shall be Let out to any Borrowers at 5 pr ct pr annum upon good improved Land security of Duble the value of the money each person takes exclusive of any buildings thereon, this 5 pr ct to be annually paid into the Treasury for & toward the support of the Goverm^t^ & for no other purposes whatever & after a certain term of years the Borrowers to pay in the Principal at 25 pr ct. in four successive years without Interest in order to sink the fund on which the money was Emitted; now it may not be Improper to inform you how the Province came into the Present difficult circumstances. The late war with the Indians was so long & vigorous that we could not maintain it by a [p. 6] Poll tax which was the only way except a small Excise which in the war time scarcely amounted to one hundred pound we had to supply our Treasury, and the charge of the war togeather with the support of Goverm^t^ amounted to twice the sum we could raise, so were obliged to Borrow money on the Cred^t^ of the Govrm^t^ & pass acts for repaying the same in sund^ry^ successive years as for Inst. the money we borrowed in the year 1720, was to be repaid by a Tax in the year 1730, and when bro't in to be burnt in the sight of the Gen^l^ Assembly, and thus our then condition obliged us year after year to Borrow in order to save the Province, & all this money was *Bona fide* expended in the payment of our souldiers which we were so generous as bear what the Massachusetts called our Quota which far exceeded our Proportion for we sent 50 men of 500 as a travelling army through their Goverm^t^ & in all the last war had not one souldier in our frontiers nor one shilling of support from them—this togeather with the Bounty upon Indian scalps was the charge by which we came so much in debt, & now those years being devolved upon us we have the whole support of the Goverm^t^ to pay, which since we settled the sallary on the Govern^r^ & other officers the Fort at the entrance of the river & other necessary contingent charges about 1500 pr annum & a 1000 at least on each year to the year 1743 towards sinking our fund, which to raise by a Poll Tax would be utterly impossible—the biggest rate we ever made being 1500 & that being attended with so much difficulty & hardship & that it held but I think one year, & a man in this Province thus paid moore than Double what a man of equall circumstances did in the Massachu-

setts—now we hope his Majesty will not suffer this Province that is Imediately HIS both as to Goverm$^{t}$ and soil be intirely ruined & lost, which is as necessary as fatall without his royall Licence to make paper money, you know we have no other currency & tho' Private persons may get money at 6 per cent. at Road Island yet the Publick as a Goverm$^{t}$ if it was [P. 7] consistent with its hon$^{r}$ can have no redress there, now such a sum as I have mentioned would not be a Proportion to this Goverm$^{t}$ compared with any other Goverm$^{t}$ for we shall have but about 10,000 out next May & that all bro't in by the year 1743, and Rhoad Island hath at least 300,000 out & I can scarce believe his Majesty will deny this Province a Priviledge of that nature and at the same time allow it to a Charter Goverm$^{t}$ that hath so many other advantages that we can't expect: besides we are the only Goverm$^{t}$ that hath not great sums of money out at 6 per ct. Interest & we never made one penny for that end. You'l have a vote of the House for choosing you their Agent & I dare be answerable had there been any money in the Treasury you would have had an ample satisfaction & if we can obtain this favor from The King it will enable us to reward you handsomely. I assure you you have the hearty consent of nine tenths of the Province in the choice & I hope shortly to see the day when it will be in your friends power to recompence your Expence & Trouble, but at present whatever is proposed by the house for the good of the Province is not concurred by the Council who is so intirely swayed & Influenced by the Gov$^{r}$ that any thing that seems in the least to clash with the Massachusetts Interest is Imediately rejected & this we fear will always be the case while we are governed by a Massachusetts man, which we are fond of beleiving is near at an End & should be I beleive Intircly content to be govern'd by Coll. Dunbar who is a gentleman that the more knowledge we have of him the more we are attached to him & we flatter ourselves he will be the man at least the Govern$^{r}$ of this Province.

Our people many of them would gladly goe upon raising hemp & if we had the liberty of making such a sum of money we should Imediately grant a Bounty upon that Comodity sufficient to Encourage ah Experiment of that kinde, this would be a good argument to obtain that Lycence: besides the want of a medium keeps back our [P. 8] inland settlements which I doubt not would produce large quantities of potash. our wood in those Tracts we are now settling being too farr from a market for wood & then as we clear our Land are obleiged to burn the wood on the ground but in such small quantitys for want of money that the Inhabitants are forced to spend one half of their time on the old settlements in raising corn & other Provitions & a small matter of the money we propose, let to those persons in the new Towns, would enable them to clear their Land so fast that it would be well worth their while to save their ashes.

I have here inclosed you a copy of a Letter I wrote the Govern$^{r}$ about 3 weeks before he came into the goverm$^{t}$, and had no answer notwithstanding we had 3 posts & 3 carri$^{rs}$ after he rec$^{d}$ it before he came into the Goverm$^{t}$ & he came to this town on Fryday the 28$^{th}$ of December last, & the Monday following I was chose a representative for New Castle. I was in the Town with him the whole time & on Tuesday while I was in the Assembly house waiting to take the oaths I was send for by the Govern$^{r}$ & past what you have copy from the

Secretary of— with this difference, I desired to be excused for that sessions or till another member might be chosen in my room which the Council entered as a perremptory refusall. I have taken my oath the copy of my Letter was genuine & if there was occasion I would prove he rec$^{d}$ the second day after I wrote it. I should not have mentioned any thing of it to you but was loth to be tho't ungratefull for such an Hon$^{r}$ don me, tho' to perswade myself of this I am obleiged to look at the Intent of the thing rather than the thing itself & was it not for the Hon$^{r}$ of the Comis$^{n}$ more than the Company I should gladly be excused for the Govern$^{r}$ hath recommended such persons & got them established at that Board as some of them cannot write their names & pers' that were never accounted worthy of any publick Imployment till in this reign which God forbid should be long.

[p. 9.] I have one thing more to mention, that is the Parrish of Rye in the Town of New Castle hath some time since discovered their minister whose name is Nath$^{l}$ Morrell to be one of the greatest villains in America,—having got his servant girl with child was Prosecuted from Court to Court & appeared a very rogue, many of his parrish having sworn to his attempts of the like nature & is since silenced by the Desenters at a meeting of them for that purpose & some few of his people standing by him 'tis reported he's gone for England to take orders, he haveing made his escape before the Sup$^{r}$ Court sat when his finall Tryall was to have been. If this suggestion be true & he gon Doubtless you'l hear of it & I assure you it will Do more Diservice to the Church than is posable to conceive, & this leads me to tell you our Church now wants glass which if we had would be fit to preach in by midsumer, & we have a prospect of a person that I am sure will be agreeable & bleive very serviceable, his name is Brown—he is now a missionary at Providence in Road Island Goverm$^{t}$, we have heard him preach at Kittry to admiration & he is an unexceptionable man in his Carrectar & behaviour & I believe might be obtained if the Bishop & Society would allow of it. We propose to write to him shortly on this head & in the mean time if any opportunity presents should be obliged to you if you mentioned to those that can forward his removall not as from him but from us, he is a Perticular favorite of Dean Berkly's & believe he would assist in his removal to this place.

Sr. If you at your leisure Time in perusing this should furnish yourself with any argument for the service of this province I perswade myself you have its Interests so much at heart as to forgive the length. If it should prove altogether useless I flatter myself you'l believe it was the good of my Country was the Inducement and I am sure you have goodness Enongh to forgive this trouble without any other apology. I had almost forgot to mention to you that Mr. James Jaffrey who hath been long notary Publick and being one of the subscribers to the church, tis tho't the Gov$^{r}$ will Dismiss him & I suppose he hath wrote to [p. 10] get him appointed by the Bishop if so we all heartily recomend him as the most suitable man in the whole Province for that Post— the Govern$^{r}$ may make what pretences he pleaseth but he is the greatest Enemy the Church of Engl$^{d}$ hath upon this Continent, I beleive & had it not been for him I beleive ours in this Place would have been finished but he upon being asked whether he would contrybute towards it s$^{d}$ not as a Church, but if the Proprietors would make a Stall-house of it he would give Twenty or Thirty pounds.

I hope you settled & finished my acct$^{s}$ with Capt. Sutcliff & sold & the Ships & got the N$^{t}$ proceeds of my part of vessell & freight into your hands, tho' I declare I have never rec$^{d}$ one line from Capt. Sutcliff while in London which is too long a neglect to be accidental. If he hath left any thing with you I believe I shall draw on you beleiving as Bills are now 'tis more advantageous than good bills being now upwards of 300 pr ct. but if I do shall take care that the bills shall be Drawn payable to yourself. I suppose Capt. Ring hath wrote you that I would gladly be concerned in the ship with him which I would heartily do in case of Peace but must get clear of the Antigua Gally first. (No signature.)

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No. 3.

[Probably written by Mr. Atkinson to Capt. Thomlinson.]

[p. 11.] Capt. Thomlinson.

Sir, I acknowledge the rec$^{t}$ of your favour by Roby of the 25$^{th}$ June last & observe you had receive mine by Capt. Noble & must tell you I am now in the same condition about my affairs in the West Indies having not heard only by your Postscript to Capt. Rindge of Capt. Sutcliffs arrivall in Antigua nor have I had one scrape of a pen from him or any person there this 12 months past I followed your directions & send Capt. Sutcliff my power attorney what he hath Don I know not he had my positive orders to put my whole affairs into your hand upon his arrivall in Eng$^{ld}$ to which place I hope he hath advised you of his coming & that you have made Insurence for my Interest on board which if he hath neglected I beg you would do you know my Intrest no least better than I therefore leave it to your Descrition I would have the Ship sold by all means I wrote you some time since that I was the builder myself & only hired the carpenters by the Job to build her So there can be no other Bills of sail then what I gave to Capt. Sutcliff & Mr. Stephens & I will warrant her to any person that will buy.

I take notice alsoe what you write about the Publick affairs of the lines between the Two provinces The Massachusetts Assembly are now Sitting I have rec$^{d}$ the copies of the memoriall &c. I have made choise of the Comitte to Answer the severall parragraphs therein contained and as what that Court will write will be kept as a secret from us it will not be Expected we can regularly answer it and we have had no Assembly since the beginning of March last when we were Disolved & there is no precepts out as yet so as a Goverm$^{t}$ we can write nothing, tho' the last Assembly confirmed Capt. Rindge & whom he should leave that affair with & chose a Comittee to give Instructions I have sent for s$^{d}$ Comittee & most of them will be in Town timely to [p. 12] write by Capt. Bush when we shall endeavour to give you all the arguments & proofs of that affair we can come at. I presume you are furnished with as many already as will be sufficient & dare say they can write nothing (that they can prove) ag$^{st}$ that memoriall their comon arguments were for I have been always upon the Comittee to meet them for many years past hath been, viz.

1. We must goe to the northermost Branch of Merrimack, which some of them would allow to be that Branch in the map called Pemigewasset others said & insisted for 3 miles to the north of the Great Pond & then Draw a line from that point to a point 3 miles north from the entrance of the river which you'l see takes of all most all the Goverm$^{t}$ besides that destroys the Lines of Latitude & Longitude which must be streight & Parallel with the Lines between them & Road Island &c.

2. They would sometimes pretend to a crooked line & that this Province could not come within three miles of the river or any of the branches any w[h]ere & then they would call it Merrimack from the mouth of the river unto the Pond, which is so wild & Proposterous that I need not answer it for how Impossable would be to follow every little branch & creek or brook where are as many as the branches of a tree besides w[h]ere would be their Latitude & Longitude Lines—but I can scarcely believe they will offer such arguments in England as they made use of here, but then—

3. Their third & greatest argument ag$^{st}$ was what was call'd the great River Merrimack they say is the northermost Branch tho' you'l observe many Branches runing to the west ward & goes thro' Concord & Sudbury &c which you cross with a west line from Boston at Sudbury now their Charter says 3 miles to the northward of Merrimack the great river Merrimack now *that was never call'd by the Indians Merrimack* [p. 13] *further then the water flows which is no further than Haverhill*, nor no vessell can or ever did pass above that Town—then comes the Indian names again tho' they are not mentioned in the Draught yet now they goe by the names given by the Indians as soon as you get above the English settlements as you see Sowhegan, then there is at the next Branch Amosceek then Suncook then Pennicook Contocook Pemigewasset Winnipisiokee &c. So that the Indians who gave the very name intended no further then the river flow'd should be call'd Merrimack The Charter could mean no more but I think it can't be better Explained then by their Charter upon the Est side—there it says if I mistake not. Thro' Piscataqua river into the river Newichwannock & thro' the same to the furthest head thereof—here tho' the whole river goes by comon descriptions by the name of Piscataqua river yet realy & by their Charter 'tis call'd so no further then where the rivers parte & Branches out & from that place the lesser rivers as Newichwannuck Cochecho &c take their names & all these are Indian names then it says thro' this little river Newichwannuck & to the furthest head thereof doth it say any thing like that in Merrimack—no only 3 miles to the northward of the great river Merrimack.

Perhaps they may say something of Equivolent Land that is w[h]ere they have any Land in Possession to the north ward of our Line they will hold it & give us Equivolent Land in the room of it that would at first seem more reasonable then realy it is for we have given their people (at Pennicook who went on there to settle before ever the[y] did so much as Lay out their Township) (1) fair warning & they were told in the name of the Goverm$^{t}$ that it was the King's land & that it was granted to his subjects of New Hamp$^{r}$ & that they would certainly loose their Possessions & labour if they were so hardy as to settle there & our Grants & theirs are so Interwoven & laid one upon another that

(1) See pp. 11, 12, 206, this vol. Ed.

there would be as great a difficulty to know [p. 14] who's the Land should be afterwards, as there is now unless the Boundary lines determine it & besides the Possessions & Improvements are vagrant & but of yesterday I make no question but the Province would be willing to let every Person that hath had an actual Possession by fencing or building for fifteen years last past Injoy their Lands and hence Equivolent lands therefor but for a few years past they have granted allmost half our Province or at least sold it to their Inhabitants & they have laid our their Lands upon our grants that were Prior & if we build a fort or Church tis burnt as soon as finished so I apprehend no Equivolents will answer unless w[h]ere a man in his own right had buil'd & lived for more then 12 or 15 years & in that case I believe it might but not by antient grants or surveys only by an actuall possession.

(No signature)

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No. 4.

[p. 15.] S^r^

I am now to acknowledge yours of the 8^th^ of Octo. last by Eggleston & observe what you say relating to Mr. Joans's answer to Coll Dunbar's letter about Mr. Slade, that affair was first mentioned to me by the Coll. with whom I often went into the Country he being obliged often to ride into the woods himself & he found he could by no means trust Mr. Slade he having been bribed by allmost all the Goverm^t^ many Towns raising a generall Contribution among the Logers for him but the Coll. did not dismiss him till he openly Quarrell'd with him & without the least reason for he Lived with the Coll whenever in Town yet he reported every where that he was Independ^t^ & had his Comission from home & hath said with in this Ten days it is so. But as to this affair I suppose the Coll writes you fully upon it besides neither he nor Mr. Jacobs is at present capable of riding being both Laid up for the winter if not for life. *The Coll. hath been as ully treated both by Superiours & Infer's as perhaps any man ever was, the Govern'r still not only Insisting upon all* POWER *&* SALLARY *even when at Boston* (1) that he in all Companies Ridicules & Denys that there ever was any thing said at the Board of Trade, that really Coll Dunbar is no more then a Cypher not one of the Gov^rs^ officers ever comes near him either Civill or millitary the militia often meeting & beating Drums about the Town without his knowledge or consent if they are asked by any indifferent person why they don't pay that Complyment they will tell you 'tis to obleige the Gov^r^ the Council setts in the same house where the Coll. lives & are sumoned by the President by orders from the Gov^r^ & there transacts the affairs without even taking the least notice of the Lieut Gov^r^. These transactions renders the Coll Intirely uncapable of doing any service either as Leut. Gov^r^ or as Survey^r^ General for now if he gets decrees from the Admiralty the People will mob & murther his men that will venture to put in Execution such Decrees & if they apply to the Gov^r^ he will forward their Comp^t^ ag^st^ the Coll. & will at the same time refuse to call those rioters to an acc^t^ or make any Inquiry into it tho' desired by a large part of the Lower house—

(1) Thus underscored in the Copy. Ed.

indeed he *many months after* (1) put out a Proclamation but offered no reward & Endeavours by all ways & means he can to render the Coll odious, who notwithstanding the nature of his Imployment being what the people ignorantly think detrymental to them yet was there an Election tomorrow for Comander in Chief I am sure he would have three to one ag$^{st}$ Gov$^{r}$ Belcher. The Gov$^{r}$ told me that those persons that were the Coll$^{s}$ friends could not nor should not be his & now all the officers that are attached to him will aske in a jearing way, w[h]ere is the halfe Sallary, were is the Letters from the Board of Trade, so that its necessary Something should be done We have had many Tryals put by this Court in December for want of the appointment of a speciall Judge, the Standing Court being related to the Causes & this is because they will not allow the Liut. Gov$^{r}$ to appoint a Judge, but at most be at the charge to send to Boston & have a Comission [sent here (2)] tho' signed as if by consent of the Council & Dated at New-Castle. [p. 16] I would leave the reason of the affair to any rationall man if the Comission & Instructions did not make it plain. Suppose a pirate should infest our Coast and we had advice of him in a harbour were we could surprise him in twelve hours must we send to Boston to the Gov$^{r}$ 60 or 70 miles for orders, or a thousand Instances of the like nature so that at present *this Goverm't is a farce & we are Laugh'd at by every body.* Now all the Gov$^{rs}$ Pretence to favour the Survey$^{r}$ of the woods is shew only, for *his greatest friends are those rioters at Exeter* & he saw four or five hundred thous$^{d}$ feet of boards Lay at the shore-side the other day when he came from Boston, he choosing that way now rather than thro' Hampton In shorte the very Tempers of the people are now as much altred since he became Govern$^{r}$ as is possable for you to conceive. I suppose you'l have a Letter from the Comittee chosen at the late Assembly to write you I know they have one prepared I wrote you by your kinsman that the last assembly were disolved as all have been for severall years past & I am well assured it was because the then Assembly talked of passing such Acts as would render the Survey$^{r}$ Generall of the woods post more effectual having taken that matter under consideration before I left the house & passed the vote about the riot at Exeter, but the Gov$^{r}$ Disolved them early in the morning & thereby put a stop not only to that but to all other business that was then pass'd by both houses so that 'tis now Two years since we have had any more than one Act psssed which Act too I conceive absolutely contrary to his Instructions being a private Act for bring$^{g}$ forward a Tryall between two private persons at Dover so that *that one Act hath been all that has been done in Two years tho' at each Sessions many publick acts hath been voted by both Houses so that we are worryed to Distraction with this Govern'r & the Lord send us a Deliverance.* I warrant you hear nothing from Him to the Massachusetts about the settlem$^{t}$ of the Sallary while this Assembly subsists for now he could have it for asking for if he was hearty in the affair.

We are now in hopes of Mr. Browns consent to move to us having made him an offer agreeable to his request as soon as we have his

(1) In the margin are the following notes. "The Complaint made by Dunbar to ye Council was April 26. The Proclamation was dated May 6, & published in ye *Newspaper* May 9." See *Journal of the House*, in this volume, p. ED.

(2) Defaced.

answer shall authentically apply to you in order to facilitate & finish that matter we want about 1500 squares of Glass 8 by 10 Inches square & hope by midsumer next to have it completely finished. There is a new Church erected at the South end of Boston & they are laying in for Mr. Brown but as they can't expect any assistance from the Society we hope they will not prevail if we miss that man it will much retard our settlement I fear now here is a Congregation on the other side the river at Kittry who Imbrace the Church & we should for the present satisfy them & Mr. Brown would do this in case he could [with the] Same Sallary from the Society that he now hath I doubt * * * eavours in this affair Especially if Bishop Berkly is in England will Prevail [p. 17] with the Bishop of London & the Society.

I wrote you by your kinsman & Copy by one other vessell with Duplycates of my Acc$^{ts}$ with Capt. Sutcliff & ship Antigua Gally since which I have heard nothing from him nor do I now know were he is nor can't advise for Insurence having heard nothing from him since he left Antigua I rec$^{d}$ a pipe of Madary wine from him by Waterhouse this year if he charges the Pipe as they told I must be allowed the Draw back I have only to beg your favour in settling this affair for me & I'le Endeavour for the future to Imploy men less troublesome.

I take this opportunity of thanking you for your kind offer to my kinsmam Robert Pike to besure I'le readyly be concerned one q$^{r}$ Part in a vessell as you shall direct & I hope he will turn out an honest & industrious man & I believe a man of good capacity & I hope will give good Satisfaction to his Imployers I suppose he writes you by this opportunity acquainting you of his voyage in the *Snow* your Brother left. I am, Sir, with best respects to yourself and Lady, your most humble & obedient Serv$^{t}$

Portsmouth, December 10$^{th}$, 1734. Theodore Atkinson.

P. S. December 12, 1734.

Since the above I have seen a man from the County of York who tells me the Gov$^{r}$ hath received Letters from the Board of Trade or D' New Castle he could not tell which relating the Tryalls there between Mr. *Gulstons* workmen & the Inhabitants of which Tryall I suppose you have heard & those Letters I perceive hath been shewn to the Judges & what pass'd upon them I can't tell but something to the great satisfaction of Prosecutors & the person told me if any of those work men should cut a tree they would be Imediately Prosecuted that those former Tryalls would never be canvassed in England that the Gov$^{r}$ and Judges made very light of what came from those offices now you may see how he stands affected by his putting the whole county in such Prosecuting condition.

I have left the affaire of the Lines to the Comittee appointed to write you tis reported at Boston that no money hath or shall be wanting to cause Delays in that affair till they have Tired your patience but I hope ere this that affair is at an end I am still fond of what I wrote to you about formerly with respect to a grant of his Maj$^{ty}$ of some of the unappropriated Lands or at Least an order to the Gov$^{r}$ & Council to make such here I am so fond of it that I can't omit it & no person could object for it would be of service to the Province in generall

Yours, ut supra.

Sr. If it should hapen in your way without Laying under any obligations to get a List of the Council as Entered at home I should be glad *for tho' I demanded my place at the Board I was refused & the Gov'r told me I must be content to set lowest be my last sworn in* The thing I don't value but the creature thinks he can degrade a Councillor at pleasure & I am sure he will not alter it without the King's Imediate Comand neither will he submit to the * * officers without it. Let their Lordships do what they please. (1)

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No. 5.

[p. 19.] Prov. N. Hampshr — 1735.

[Indorsed—"Copy to Mr. Thomlinson, 1735. Publick Letter."]

Sr—You'l see by ye Inclosed votes of ye Assembly of this Province that you are continued their agent and we are appointed a Comittee to write to you and send you the thanks of the House for your good services in ye affair of ye Lines between this and ye Massachusetts Goverment which we hope will be settled before this reach you & that the northern Line will be but a few Degrees to ye westward of north that this his Majesty's Province may include the greatest number & best Mast Trees for his Royall navy.

When the line is settled we apprehend it will be necessary that a new Comission for Governt be made out, for if it Runs West from three miles north of ye mouth of Merimake River sundry Towns that the Massachusetts exercised Dominion over will be without their line and not Included in ye Present Comission for this Governt and as we are appointed to write to you in Behalfe of the late Representatives of this Province We desire you will Endeavour all you can *that the same Person may not be Governor over both Provinces, for many and great are the Inconveniences that attend it.* The Govr Residing in the Massachusetts occasions great charge to this Prov. for frequent Expresses to him and attendance upon him by great part of the Millitia whenever he comes into and goes out of ye Province tho' in time of Peace, and will be much more so in case of war;—as Capt. Generall he haveing ye sole Power of the Millitia nothing can be done for the Defence of ye Province in case of an attack without sending above sixty miles to him at Boston by which means many an opportunity of overtaking ye enemy [p. 20] has been lost, *and this present Govern'r Imagines himselfe always virtually present here and that no affair of Goverment can be acted but by his particular order* which must come from Boston when he is personally out of this Province so that here is not Power to Issue out so much as a Proclamation or make an order upon any Extraordinary Emergency till an Express is sent to him and the Return of an Instrument signed by him at ye Council Chamber at Portsmouth tho' really done at Boston, many instances of which might be enumerated—but we mention only two; viz. *When ye survey'r of his Majestues Woods was Insulted at Exeter* and the People he Employed for his Majesty's service in a Rebellious & Riotous manner abused & Resisted.(2) as Lieut. Govr he cal'd a Council and Proposed Issuing a Proclamation giving Incouragement to any that would discover ye Rioters, But a

(1) The MS. is much torn and defaced, and quite illegible. Ed.

(2) See p. 678, Vol. 4. Ed.

majority of y^e^ Councillors were of opinion that it could not be done but by the Chief Govern^rs^ order which occasioned so great Delay as that y^e^ actors in that great Disorder escaped with Impunity. *The other Instance is in Relation to his Majesties order in Council Repealing ye Law ab't ye Courts at Hampton, Exeter & Dover.* The Lt. Gov^r^ ordered y^e^ Council to meet that it might be Published as usual in such cases. But y^e^ Cheife Gov^r^ not being personally here a number of y^e^ Councill would not consent to it untill the originall order was sent by Express to Boston and they had Direction or Leave from his Excellency to obey the King's order and make it Publick.

[P. 21.] We apprehend as he is a Resident in the Massachusetts and his principall support arising from thence and his Estate and Interest in that Goverment and *not so much as a freehold in this Province*, He has not bin so impartiall as a Govern^r^ ought to have bin, *but has bin much attached to the interest of that Province in ye affair of ye Lines as has obstructed ye settlement from his first Entrance upon the Goverm't:* first by Passing an act in y^e^ Mass^a^ that prevented y^e^ settlem^t^ by Comission^rs^ to be chosen by both Provinces Pursuant to his Majesties Instruction for that purpose, and he has ever since at almost every session of that Gen^l^ Court consented to the selling and granting y^e^ Lands in Dispute (w^ch^ are much within this Province) to y^e^ People of y^e^ Massachusetts who have thereby Raised considerable Sums of money which in a great measure has enabled them to Encourge their agent to Protract the Dispute that they might continue their Incroachments and opportunities to sell & grant more Townships—and that we might have no agent at all he has as much as in him lays Disparaged the person chosen by the Representatives by Influencing the Councill (many of whom were of his own Recomending and absolutely under his Direction) not to concur with the Assembly in their choyse nor in allowing any money to Enable him to Prosecute y^e^ Dispute about the Lines; an Instance of which was in May last (1) *when the assembly prepared an act for the supply of the Treasury—and because there was a very small sum appropriated for the Agent the Bill was Rejected*—tho' Provision was made therein for payment of all y^e^ Province Debts, and for Repairing the fort & Prisson which was absolutely necessary—and upon it *Dissolved the Assembly* as he always dos when he goes out of y^e^ Province, and tho' they [P. 22] have bin Disposed and actually Doing every thing for the Honour & service of the Goverm^t^, yet if it was not done with precipitancy and Dispatch as he and his party in the Councill Directed they have been reproached with obprobrous Reflections and insulted in Dissolution Speeches which we apprehend were calculated to make Divissions and Partys in the Goverm^t^ which we *were always strangers to untill his administration*, and yet he has never obtained one Election to his purpose, for always the greatest part of the same members have bin chosen & Return'd which is a plain Demonstration that his Conduct & administration has not bin pleasing and acceptable to the generality of his Majesties good subjects of this Province. Tho' we hear he has very lately obtained a subscription in his favor which was clandestinely handed about by his officers who have an Influence generally over the meaner sort of people of which sort are most of the subscribers, many of whom they have imposed upon not leting them know the Designe of the subscription as appears by the Deposition of

(1) In margin—"May 1735."

one of them, and without doubt many more may be had. If the Governs friends make use of it, you'l find many of ye names of those that Petition'd against ye Lt. Govr, surveyor of the woods, upon or soon after the Riot at Exeter, and none of the Council but those that Refused to joyne with ye Lt. Govr in a Proclamation about it and voted against ye Kings Interest in the affair of ye Lumber made out of Timber condemned to ye use of his Majesty. The frequent Dissolutions & calling new assemblys, sometimes twice a year has bin very chargeable and grievous—and his late attempt to invade ye Priviledge of the House of Representatives by Depriving them of Judging of ye Dueness of Election and the qualifications [p. 24] of their members has very much alarmed the good people here and is Resented by all except his own Sicophants & Creatures who are passively & blindly led by him. We could add much more, but fearing we have already trespassed too much upon your Patience, In behalf of our Constituents we subscribe ourselves, Sr.

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No. 6.

Indorsed—" Copy Thomlinson's Letter sent by Winkley about the Church, 1735." August 19th 1735.

[p. 25.] Sr.

Inclosed you have Mr. Brown's Letter to Doctor Humphreys by which the Society hath his free consent & Desire to remove amongst us & tho' we hope that affair is Decided in our favour yet possably the Society may hesitate for want of his concent being signifyed. You'l observe by the Date it was Designed upon Long since but some perticular affairs then on the anvil not being ripe was what's Detained it in our hands, which being now over hope it will answer all the Desired Ends. I observe what you wrote me of ye Difficulty you met with in this affair & that the chieff objection to Mr. Browns removall was yt Providence must be provided for by a new missionary which the Society at Present was not able to Do. That Society I apprehend has allways made it their practice to send their missionary where there was the greatest Prospect of success & if they'r made (as I doubt not you have don) sensable of the differenee of the places—this being a sea port the metropolis of the Kings Goverment in which this is *the first Church ever Errected* & this carryed on *by the Cheif people* in the whole Province, whose good Example will I hope be very prevalent in all the neighboring Towns as well as Portsmouth, & upwards *of one hundred familys of the best sort of* [p. 26] *People allready Declared their fix'd & Determined Resolution & such as without whose help this Town will scarce ever be able to maintain another Desenting Minister when either of those now here shall be removed*,—who because we were under obligations to at their first settlemt think ourselves obleiged still to contrybute for yr support. Now Providence being a country town & but very few Professed Churchments there & those too more so in Profession yn reality, of very different behaviour, scarce any stranger, & but a small distance from Road Island where there is a Church established,—& I believe were Mr. Brown to write his own sentiments he could give but a very Indifferent carracter of the people there, & such an one as would scarce deserve the Society's care.

Besides as we have built a church which hath allready cost us near if not quite two thousand pounds 'tis natural to suppose every subscriber would desire a vote in recomending the first minister at least & I Question Possabylity of ever thinking they should fix upon any one man by even a major vote, and yet ever[y] individual person concerned are heartily Intent upon Mr. Brown's removall & tho' we have subscribed some thing very handsome to Mr. Brown considering the Expense of the Building & what we annually pay to the Desenters yet not one subscriber but hath confined his [p. 27] subscription to Mr. Brown only, so that if we miss Mr. Brown our whole subscription Drops—he hath been Two Sundays with us & our house so crowded that the Isles were Intirely full & many people could not be comfortably accomodated. Under these circumstances we Desire you would recomend us to the Society. I write this as the mind of the whole Society & I beg leave to subscribe, your

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No. 7.

[p. 28.] Dr Sr—

You'l receive this by my good friend Mr. *Waldo* who is soon Bound for London & *is Determined to represent to his Majesty the Injuries he hath rec'd from Mr. Belcher*, Perticularly in the affair of his Estern Settlements. When you [see] the severall Evidences to support the Compl$^{t}$ he lately forwarded to you you'l see Gov$^{r}$ Belcher Drawn to the life. I have taken an affidavit before Mr. Jaffrey of what once passed at the Coun$^{l}$ Board here in relation to Mr. Waldo's settl$^{mt}$ at St. George's but I Imagine he will not be able to get the Prov. Seal to it as he is so desirous of your friendship & I well know your advise & assistance in this affair will not only be of service to him, but I believe (inasmuch as it will Encourage that settlem$^{t}$) to the whole country I need not recomend him to your acquaintance, the situation of his affairs will naturally lead him to that & I doubt not you'l find him a gentleman worthy your friendship & regard, I heartily wish him success in his affairs & hope you will be able to assist him therein. I am

Sincerely your oblig'd & Humble Serv$^{t}$

Indorsed—" Copy of a Letter to Capt. Thomlinson, Pr. Mr. Waldo, May 22$^{d}$, 1738."(?) A.

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No. 8.

[p. 29.] (A Copy.) London 12$^{th}$ Feb. 1735.

Theodore Atkinson,

Sir—I have a great many of your favours to acknowledge and as for what Relates to the publick affaires must Reffer you to what I have by this Ship writ Mess$^{rs}$ Wiggan & Rindge, under cover to Mr. Rindge; Mr. Tundry & myself shall endeavour to serve you in the affaire you mention, but at present can give you noe great hopes, Sutcliff's ship is sold, and he has given me his accounts, has not yet had time to peruse them;—but Mr. Bethell tells me there will not be any thing coming to the owner, either from Ship or her Freight, all is sunk. However shall have the affair left to arbitators, it must be either settled that

way or in Chancery. It is a most sad affaire. I shall doe all that lyes in my power for you. I have paid your bill of fifty pounds and Mr. Gallaway has given up everything that was Capt. MackPheadris, to Capt. Reed, and would not act in the affair. I was two days agoe for some time *with the Bishop of London; but cannot yet tell you what we shall be able to doe in the Church.* I shall doe all I can for you and has still hopes. I shall again write you in a little time when shall have more leisure and am with, Sir, yours &

[Signature torn off.]

Indorsed— "Thomlinson's
Letter, Feby, 1735.

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No. 9.

[p. 30.] (A Coppy pr. Wingfield.)

London, 10 April, 1735.

Theodore Atkinson, Esq.

Sir—My last was by Shiperdson, Since which I have yours by Capt. Eastwick with the Inclosed votes as for what Relates to the province affairs I must Reffer you to Messrs Wiggan & Rindge, and Coll. Dunbar will show you how his affairs are, and you must assist him all that lyes in your power. As for your own affairs I Received for you the 5th instant ninety two pounds six shillings for your Sallary and Traveling charges and shall ship you by the next ship as you Direct, and shall continue from time to time to follow your Directions, as I shall receive your Sallary.

I have took a great deal of pains with the Bishop of London, Doct. Humphreys, Mr. Tryon and others of the Society, and said as much to all of them as I could say, and did not only give them the Committee letters directed to them, but shew them the letters to me, but as yet have not had a direct answer from the Society, the affair being referred to a Committee who have not yet made their report, but the Bishop and some others of the Society gives me but bad Encouragement, they say *If they remove Mr. Brown they must make an other Missionary* to stand in his stead, and they are not able to make any more: I have pleaded with the Bishop as much as possible, and shall not yet give it up untill I have the Committee Report.

*The affair of a Track of Land I have mentioned it privately to Coll. Bladen*, but he doth not think it consistent with his duty to engage in it. And before such a grant can be solicited for here must have the particular parcell of land specified with the Bounds and Extent thereof, which if you have still thoughts of you must look out and send me the Extent and bounds and conditions or proposalls. I would not have you Exceed ten miles square and the nearer such lands are to the sea or navigable rivers it will be the better.

I am sorry you cannot get my twenty guineas of Mr. Clarke. I think it very hard that I alone should suffer. I would have you dew what you can for me in it which will very much oblige—

Sir, your most Humbl. Servt.
John Thomlinson.

P. S. If Mr. Strangways makes any Application to you at Portsmouth for any advise or assistance in the Expedition he is upon, he

being on an affair for the account of his Grace y^e^ Duke of *Chaudoes?* Coll Bladen and some other gentlemen, I hope you and Coll. Dunbar and my other friends will Render him all the service you can.

[p. 31.] London 5 May 1735.

Sr—On the other side you have copy of my last to you and has only here to inclose your Invoice and bills of Lading for a case of good shipt you (I hope) agreeble to your Direction. I shall write you again in a little time and am

Sir, your Most Hum^l^ Serv^t^,
John Tomlinson.

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No. 10.

[p. 32.] London 22 June 1735.

Sir—I have not writ you since Wingfield and Homans, sinee which I have received two of your agreeable Favours, and am only sorry that I *cannot get you relief so soon as I could wish*, and for the state of affairs here must again refer you to Mr. Rindge. I have Received another Quarter Sallary for you and you must from time to time give me direction in what you will have it in. I have lately had a letter from Capt. Sutcliff from Jamaica that he was going to Savana Lamar to load sugar and have Insured for you £300 at 4 pr Cent, and when please God she arrives both Coll. Buttler & myself is fully determined to Trye what we can doe with him, and if possible will get you an End of that affair. I would have you by all means to be a Quarter part concerned with your Nephew Robert Pike. I shall provid him owners for half and shall get him so fixt that he will get money for himself and owners, he will turn out a very Clever fellow and be a good manager. I know none of his standing like him; he is againe gone to y^e^ West Indies, and if he does not leave the Snow there and come to your place for the Ship, I shall as soon as I hear give orders for the ship to meet him about Xmass in the West Indies; I shall Send him out passenger in some of the ships I am concerned in. I have not now to add only that I am with service to your good lady and family,

Sir, your most obed^t^ Hum^l^ Serv^t^,

Theodore Atkinson, Esq. John Thomlinson.

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No. 11.

[p. 34.] To the Right Hon^ble^ the Lords of the Committee of his Majesty's most Hono^ble^ Privy Couneil.

My Lords—

Pursuant to your Lordships ord^r^ of the 16^th^ day of April 1733 we have examined the Peticon of John Ringe of the Province of New Hampshire in Ameriea, Esq^r^ eomplain^ts^ in behalf of the inhabitants of that Province of *great Encroachments upon their Land* and other oppressions w'eh they have suffered from the People of the Massachusetts Bay, both in matters of Property & Goverm^t^ *for want of fixed & known Boundaries* betwixt the said Provinces w'ch the People of New Hampshire have in vain used their best endeavours to settle in Conjunction with those of the Massaehusetts Bay—wherefore he most

humbly prays his Majesty to declare and ascertain the several Boundaries of the Province of New Hampshire & to afford his oppressed subjects of that Province such Relief in the Premises as to his Majesty in his great wisdom & justice shall seem meet.

We thought proper to communicate a Copy of *this Petition (and of Eight others upon the same subject from the Inhabitants of the several counties of New Hampshire)* to Mr. Wilkes, agent from the Province of the Massachusetts Bay, who having taken time to transmit the same to his Principals, did on the 14th day of February 1733–4 lay before us a Memorial in Relation to his submitting the Determination of the Boundaries between the Provinces of the Massachusetts Bay & New-Hampshire to such Commissioners as should be appointed by this Board. But his Memorial not containing so full a submission to the Determination w'ch we sh'd make upon this matter as Mr. Wilkes had before promised, he desired leave to withdraw the same in ord$^{r}$ to lay another before us w'ch should be more to our Satisfaction; and agreeable to this we received the next day a Letter from Mr. Wilkes in y$^{e}$ following words:

"My Lords—Pursuant to Instructions I have received from "the Great & General Court or Assembly of his Maj$^{tys}$ Province "of the Massachusetts Bay in New England, in America, in Re- "lation to the Petition of Mr. Ringe touching the Controversy be- "tween the said province of the Massachusetts Baye & New Hamp- "shire about their Bounds, & praying a settlem$^{t}$ thereof, I do hereby, "as agent of the said Province of the Massachusetts Baye for & on "their behalf, humbly submitt it to your Lordships, & do hereby con- "sent & agree, [p. 35] that the said Boundaries may be Determined & "Settled by wise disinterested persons of the Neighboring Govern- "ments to be nominated & appointed by his Majesty or your Lord- "ships for that purpose, and I do further agree & consent for the Prov- "ince of the Massachusetts Bay that the Said Comiss$^{rs}$ shall have the "matter in controversy left to them fully and without any limitations "*saving only that the Lines, however they may happen to run, do not affect "the property of Particular p'sons.*"

A Copy of this L're having been communicated to the petitioner "Mr. Rindge, we received the day following a second Peticon on his be- "half from his Solicit$^{r}$ Mr. Parris setting forth, "That he had nothing "to object against Commissioners being authorized to set out the "Boundaries betwixt the two Provinces, But that he was under a "necessity of representing to us, that the Question w'ch had been so "long depending was, at what place the South Boundary of New "Hampshire (or w'ch is the same thing the Northern Boundary of the "Massachusetts Bay in that part w'ch bounds to the Southward on "New Hampshire) shall begin, & what course it shall run?

"That this Question must receive its Determination from the true "& legal construction of the Charter granted to the Massachusetts "Bay & may not therefore be proper for the Determination of meer "Surveyors or Mathematicians in America, but may be proper for his "Majestys own Royal Determination here, with the advice of his "Privy Council, w'ch being once done & the place of beginning the "Bound Lines & likewise the course they are to run being fixed, the "matter w'od then be clear, & his Majestys Comiss$^{rs}$ would have but

"very little trouble or difficulty in running the Lines, Wherefore he "humbly prays us to hear all partys by their Councill upon the Ques- "tion where the Boundary Lines ought to begin & what course they "ought to run."

Hercupon we thought proper for our better information in a matter of this Consequence to communicate to his Majesty's Attorney & Soll$^{r}$ Gen$^{l}$ a copy of the charter granted by their late Majestys King Wm. & Queen Mary to the Province of the Massachusetts Bay 1691, & desired their opinion from what point of Merrimack River the dividing Line between the Province of the Massachusetts Bay & New Hampshire ought to begin according to the intent & meaning of the s$^{d}$ Charter.

In answer to this Query the Attorney & Soll$^{r}$ Gen$^{l}$ have acquainted us by their Report Dated the 19$^{th}$ day of March last "That they had "been several times attended by the Councill and agent of the s$^{d}$ "Provinces.

"That the Councill for New Hampshire offered several arguments to "prove that the said dividing Line ought to be taken from three miles "north of the Merrimack River.

[p. 36.] "That the Councill for the Massachusetts Bay would not "say what it was they insisted on, or give any answers to what had "been urged by the Council on the other side, But declared that in "their opinion the Question w'ch was proposed to the Attorney & "Sollicitor General by this Board would not Determine the matters in "Dispute & that therefore they thought it unnecessary to say any "thing upon it.

"That whether this be so or not they are not able to judge. But as "to the Question referred to them they are of opinion

"That the dividing Line between the Province of New Hampshire "& the Province of the Massachusetts Bay is to be taken according to "the Intent of the Charter of William & Mary from three miles North "of the mouth of Merrimack River, where it runs into the Atlantic "Ocean."

Since this Report we have been again attended by the Soll$^{r}$ for the Petitioner & the agent of the Massachusetts Bay, and have heard what either side had to offer by their Council upon this occasion, And upon the whole we take leave to offer our opinion to your Lordships that his Maj$^{ty}$ sho'd be graciously pleased to appoint & authorize Comiss$^{rs}$ to be chosen from out of the neighbouring Provinces in America, to meet within a limited time & mark out the dividing line between the said Provinces of the Massachusetts Bay & New Hampshire, and we shall take care that a copy of the above said opinion be given to each of the said partys for the Information of the Comiss$^{rs}$ in case any doubts should arise amongst them upon the Construction of the said Charter granted by King Wm. and Queen Mary to the Province of the Massachusetts Bay.

We are, My Lords,
Your Lordships.
most obedient and most humble servants

Whitchall, June 5, 1735.

M. Bladen
R. Plumer
Fitz Walter
T. Pelham
Edw$^{d}$ Ashe
Orl$^{o}$ Bridgeman.

Indorsed—"Copy, Board of Trades
Report upon Mr. Rindge's Petition."

No. 12.

[p. 37.] London 11th August 1736

Sir—

I have not had any of your favours for some time or indeed from your place not so much as one line by the mast Ship which I am really surprised at, however I have now to tell you that I have finished with Capt. Sutcliffe both the ships and his private account with you (he is since gone a voiage for three years) As I formerly writt you it is a sad affair but something better than it appeared at first sight, for when he gave me the ships accounts there was £500 or £600 sterling coming to him from the owners besides what ye ship sold for, we had three worthy Gentlemen abritrators and after they had been as indulgent as possable to him they make a ballance coming from him to the owners of £141 : 6 : 0, of which I have Recd for your account £35 : 6 : 6 and for the Ballance of your private acct £54 : 6 : 8 both which I have carried to your credit and it is Just so much more than I expected I Assure you I had so much trouble in the affair that had their been a Thousand pound coming to you, I should have charge you at least £100 for my trouble and dearly earned too. I hope by Shepheardson to be able to ship you in such goods as I think will best answer what I may have of yours in my hands. *I am very glad to find that the Society has at last given leave to Mr. Brown to remove to your place.* I shall be glad to hear his good success amongst you. I hope we may in time obtain the other things we have been so long soliciting for it would give the utmost pleasure to

Sir, your most Huml Servt

John Thomlinson.

Pray when am I to hear any thing
from Benj. Clark's Executors.

Superscribed—"To Theodore Atkinson, Esq.
at Portsmouth,
New England."

Pr. Capt. Crocker.

I am surprised I have not one line from you by Capt. Vaughan who is arrived at Plymouth & has sent all his letters up: but none from you.

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No. 13.

[p. 38.] London 3d——? 1736

Theodore Atkinson, Esq.

(A copy pr Bennett)

Sir—I have only to acknowledge your favour pr Capt. Hewitt and to inclose Invoice and bills of Lading for some linen shipt you, which I hope will answer. I indeed ordered the Draper to ship you a larger quantity, and how they did not I cannot tell, but this I know it is the first time they ever Erred on this side. The Packets you and my other friends mentioned some time since sent with the account of your proceedings when the Governour was last with you *never came to my hands*, and you would do well to trace it; for it has certainly been Intercepted on your side the water, or on ship Board; If it had come here I should have had it. I design to write you again in a little time when I hope to have more leisure. I assure you I have very little at present, yet must tell you that I am, Sir, your most Humbl Servt

John Thomlinson.

No. 14.

(Copy)

[p. 39.] London, 12 Nov$^{r}$ 1736.

Andrew Wiggan }
Jn$^{o}$. Rindge } Esqs.

Gentlemen,

My last to you was y$^{e}$ 14 August last, wherein I told you that I was in hopes by some of the fall ships to give you an account of the success of a hearing that was appointed before a Committee of his Maj$^{tys}$ Council in October, on the affair of the dividing lines, and you will find by the Inclosed papers the said hearing was on the 26 Oct. Allso the suceess of y$^{e}$ s$^{d}$ hearing, which was to our Wish, as you may see pr the coppy from our Brieff sent you here & coppy of the Committees order on s$^{d}$ hearing. I have sent you allso a copy of a *petition to my Lords Commissioners for Trade & Plantations praying for a small quorum and some other things necessary which we hope to obtain & then I think there can be no great difficulty on your side the water.* And I hope you and all your friends will do every thing in your power to assist such Commissioners that they may be enabled as soon as possible to send home their Report according to his Maj$^{ties}$ orders and Instructions, and notwithstanding either Provinces has y$^{e}$ liberty of appeal from y$^{e}$ Determination of such Commissioners, and it is very likely to be the case, yet I am pretty well assured that any such appeal will not occation much Trouble and very little delay, for this will be the case *If ye Commis'rs settle ye lines according to his Majestys Instructions & the Intent and meaning of the Charter, I am sure you will not appeal; and notwithstanding any other appeal from ye Massachusetts, his Maj'ty will confirm such settlement,* and should such settlement be made contrary to his Maj$^{tys}$ Instructions & the Intent and meaning of the Charter, upon your appealing properly, and as the Instructions shall direct you need not doubt but his Maj$^{ty}$ in Council will undertake the affair without any more delays: and we are pretty sure that y$^{e}$ Charter *is construed* HERE *as it is with you* Indeed it can bear no other construction. I am very sorry that some of the good people of your Province are freighted by the Threats & Rumors that are raised in the other Province purely for that purpose. I think their case begins [p. 40] to be pretty well known, and I have now very great hopes you will soon be Relieved, and I assure you nobody will rejoice more to see it than

Gentlemen, your most Obedient Serv$^{t}$,

John Thomlinson.

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No. 15.

London, 19 Jan$^{y}$ 1736.

Gentlemen,

I am now to confirm the above to be copy of mine to you pr Capt. Fones, to which I refer you; and only have to inclose you two papers, to shew you that your grand affair is now going on successfully; and I have now hopes in a very short time to finish every thing that we can doe for you here, and send you by some of the Spring ships, with

proper Instructions, &c., which I am sure you will he careful to observe and follow:—and as I am senceable you have no other views than to have those dividing lines Run according to the true intent and meaning of the Charter, I think you may now justly hope to see it done without a great deal more Trouble or loss of time; For it now appears to me that every body that hears the affairs perceves how you have been used and how necessary it is that the Boundarys should be settled, and it will consequently be done as speedily as possible. I assure you it will give me the utmost pleasure to se it done, and that his Maj$^{tys}$ Province may become a more florishing and happy people,

I am, Gentlemen, your most
Humb$^{l}$ Serv$^{t}$,

John Thomlinson.

Andrew Wiggan, John Rindge } Esqs.

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No. 16.

(Copy)

[p. 41.] London, 12 Nov. 1736.

Theodore Atkinson, Esq.

Sir—I have here to acknowledge your favour pr. Capt Hewitt and am very sorry that your People should be freighted or Intimidated by the Storys and threats of the Massachusetts, from doing their duty to their King, their country or themselves. For tho' y$^{e}$ affair has gone slowly here, yet now I think their circumstances begins to be known here and I hope they will soon be Relieved.

I have wrote Messrs Wiggan & Rindge on the affair of the boundary Lines to which I Refer you. I have not yet had your packett Inclosing the papers Relating to the Assemblys last sitting. I shall Endeavour this winter when the Gentry are in town to get you some things for the Church. I am

Your most Hum$^{l}$ Serv$^{t}$

John Thomlinson.

P. S. The papers I have sent to Messrs Wiggan & Rindge I have directed to Mr. Sam$^{l}$ Wentworth, Merch$^{t}$ in Boston that he may forward them.

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No. 17.

London 19$^{th}$ Jan$^{y}$ 1736

The above is Coppy of my last and has only now time to Tell you that I have this week settled with Mr. Jones To Michalmas last and he has paid me also your bill of £31 : 10 ster$^{g}$ for acc$^{t}$ of Charles Apthorp, this ship going away at this season unexpectedly that I have not time to write any of my friends,—for publick affairs I must refer you to Messrs Wiggan & Rindge. Shepherdson and severall others will sail for New England at ye old time, viz. y$^{e}$ Middle of next month then I hope shall have more leisure, I am

Sir, you most Hum$^{l}$ Serv$^{t}$

John Thomlinson.

No. 18.

[p. 43.] To the R^t Honourable the Lords of the Com^tee of his Majesty's most Honourable Privy Council.

*My Lords—*

We have had under our consideraton your Lordships order of the 26^th of Octo^r last approving our nomination of the 5 Eldest Councillors in the Provinces of New York, New Jersey, Nova Scotia and Rhode Island (excepting Major Mascarine one of the Council in Nova Scotia who appeared to your Lordships to be a p'son interested in the Massachusetts Bay) to be the Com^rs for settling the Boundarys between the Provinces of the Massachusetts Bay & New Hampshire, and requiring us to prepare, and lay before your Lordships such Directions as we shall think necessary for his Majesty to give to the s^d Com^rs for this purpose, specifying the time before w'ch the said Com^rs shall hold their first meeting, the most convenient Place for such their meeting, and of what number the Quorum should consist.

Upon this occasion we have been attended by the resp'ive agents for the Massachusetts Bay & New Hampshire & have given them an opportunity of laying before us any Proposals they might have to make to further the settling & marking out the Lines in question, Whereupon the agent for New Hampshire laid before us a Memorial for the purpose aforesaid: The agent for the Massachusetts Bay only raised some trivial objections to the place of meeting & to the Quorum men^d by the agent for New Hampshire, but offered nothing further to us upon the subject.

As we are informed that the most proper time of the year for running the Boundary Lines in Question is between the beginning of June & the end of September, we take leave to propose that the 1^st day of August in the year 1737 may be the day on w'ch the Com^rs may be directed to hold their first meeting, from w'ch they may adjourn to such times as may be most convenient for them: For, altho' your Lo'pps did direct us to consider of a time before w'ch the s^d Com^rs should hold their first meeting, yet upon consideracon, we found it convenient to appoint a Positive day, because the great distances the Com^rs live from each other would otherways make their first meeting very uncertain.

And as the Town of Hampton, in New Hampshire is situated according to the best Drafts we have been able to Procure of that Province, very near, if not upon, the Place thro' w'ch one of the Boundary Lines is at first to run, we are of opinion that the first meeting of the Com^rs sho'd be appointed to be held there.

With regard to the number a Quorum of the Com^rs sho'd consist of, we take leave to observe, that altho' there are Twenty Com^rs to be appointed, yet several of them from different occasions, may not be able to attend this service, and, as the want of a sufficient Quorum, supposing it sho'd be appointed too large, might prevent the fixing these Boundrys & occasion a fruitless long Journey to such of the Com^rs as shall undertake the same, *We are of opinion that five* [p. 43] *of ye Com'rs sho'd be deemed a suffic't Quorum*, and that all Determinations shall be by a majority of the Com^rs present. We are the rather of this opinion, because, each Province will have the liberty of appealing from any sentence given by these Com^rs to his Majesty in Council.

*The agents* for these Provinces *having agreed that the charge* attending this Commission & the Execution thereof *shall be equally born between each Province*, we have nothing to offer you upon that head but that we think it highly reasonable it sho'd be so.

As these Com^rs must be appointed under the Broad Seal, we are of opinion that the above men^d Propositions with regard to the time & place of meeting & to the number of w'ch the Quorum is to consist ought to be expressed in the s^d Comission & a liberty thereby granted to either party who may find themselves aggrieved by the Determination of the s^d Com^rs of appealing to his Maj^ty in Council, from such Determination, and that the Com^rs may be impowered & directed to administer an oath or affirmacon to such p'sons as shall be found necessary to be examined before them.

And, that the good Purposes Proposed by this Comission may not be frustrated by any failure in the Execution thereof, we take leave further to propose—

That notice be given by a Circular Letter to the resp'ive Gov^rs of the Provinces where these Com^rs do reside. of his Majesty's Intentions to settle the Boundarys of the two Provinces afores^d by Com^rs to be appointed by his Majesty & that the resp've Gov^rs of the s^d Provinces upon rec^t of such notice, do acquaint such Com^rs of the time & place of their first meeting, strongly recommending it to such as are able to go, to attend this Duty.

That the Com^rs be directed at their first meeting to make choice of one or more able clerk or clerks to enter their minutes & proceedings, as also of one or more skillfull p'sons to prepare Dr^ts or Plans of the Boundarys according to the Determinacon of the Com^rs, who are also to administer an oath or affirmacon to such clerks or other p'sons as they shall employ for the due & faithfull Execucon of their Trusts.

That each of the two Provinces, whose Boundarys are to be settled *do send* to the s^d Com^rs at their first meeting *the names* & places of abode of two of their Publick officers, whom they shall appoint for that purpose, residing in the s^d Provinces, on *either* of *whom*, or at whose Place of abode, *any notices*, *summons*, or final Judgment of the s^d Com^rs *may be served* or left.

That each of the s^d two Provinces do send to the s^d Com^rs at their first meeting, *a Plaine full state of their Demands* or *Pretensions in writing*, describing where, & in what places the Boundarys on the southern & northern Part of New Hampshire ought to begin, what courses & how far, the same ought to run resp'ively, and that copys thereof may be [P. 44] mutually exchanged in ord^r to prevent an unnecessary Delay & that each Party may come fully prepared.

That the Com^rs be directed to use all convenient Dispatch in the Execucon of this affair.

That the Com^rs present at any meeting, He, who is first named in the King's Comission shall Preside at such meeting & shall Issue out the necessary summons for such Witnesses, as either party shall require.

That no Evidence be allowed of by the Com^rs but such as shall be sworn or take an affirmation before them in open Court, and that the whole of what such Evidence shall offer to the Com^rs be put in writing by the Clerk & in presence of the s^d Com^rs.

That Entries be made of the Papers, Evidences, Deeds, Charters & Proofs received by the Com$^{rs}$ in this affair, & of all their Proceedings & Resolutions throughout the same, & that the Plans or Draughts of the Boundary Lines, as agreed by them, be annexed thereto & made Part thereof.

That when the Com$^{rs}$ shall have made their final determination & signed the same, a copy thereof shall be sent to such Public officer in each resp'ive Province as before men$^{d}$, as likewise notice of another meeting, to be within six weeks after the delivery of such copy, or such other reasonable time as the Com$^{rs}$ shall appoint, at w'ch either of the Provinces, who shall find themselves aggrieved, may enter their appeal, with a Declaration what part of the Determination of the s$^{d}$ Com$^{rs}$ they abide by or Appeal from, and that each Province be allowed true copys of the whole Process, to be attested by 3 or more of the Com$^{rs}$.

That if, at this last meeting of the Com$^{rs}$ neither Province do enter their Appeal, the Determinacon of the Com$^{rs}$ do then become final & conclusive to all Partys.

And that, during the meeting of the said Com$^{rs}$ the Gov$^{r}$ of the two Provinces do keep their resp'tive assemblys sitting or under short Prorogations, that they may meet within Twenty days after such Determination, delivered as afs$^{d}$, in ord$^{r}$ to Determine what to do thereon. We are my Lords, your Lordships

most obedient & most
humble Servants

Fitz Walter
T. Pelham
R. Plumer
M. Bladen
Orl$^{o}$ Bridgman

Whitehall, Dec$^{r}$ 8, 1736.

Indorsed—"Ringe *v.* Massachusetts } Copy of the Board of Trade's Report appointing time & place, & Quorum of the Com$^{rs}$."

"Moved for a Copy hereof 17 Dec$^{r}$ 1736.
Got it out the 18$^{th}$ Do. & on the same
day petn$^{d}$ for the Confirmacon of it."

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No. 19.

[p. 46.] To the Right Hono'ble the Lords of the Comitte of his Majestys most honourable Privy Council for the affairs of the Plantations:

The humble Petition of John Rindge of his Majestys Province of New Hampshire, Esq$^{r}$ in his own Right and as agent for the Assembly of that Province.

Sheweth:

That by your Lordships Order of the 17$^{th}$ December instant, your Petitioner hath obtained a Copy of a Report made to your Lordships on the 8$^{th}$ of December Instant, by the Lords Comissioners for Trade and Plantations—Proposing sundry direccons as proper to be given to his majestys Comissioners and others for settling the Boundarys between the said Province and that of the Massachusetts Bay:

That upon p'usal of the same your Pet$^{r}$ humbly conceives the same to be very wisely and prudently digested, and to be highly proper and well adapted, for the carrying his Majestys Royal intentions into execution:

Wherefore your Pet$^{r}$ most humbly prays your Lordships to take the said Report into your consideration, and that your Lordships will be pleased to agree in opinion as to the Directions and other matters proposed, with the said Lords Comissioners for Trade and plantations, That so, his Maj$^{tys}$ Auth'ity and direcons may issue to the Comissioners (in such form or manner as shall seem fitt) with all convenient dispatch, in order to their haveing timely notice & beginning to proceed on this long contested matter by the first of August next, the time menconed in the said Lords Com$^{rs}$ Report.

And your Pet$^{r}$ shall Ever pray, &c.

F. J. P.(1)
for the Pet$^{r}$

Indorsed—

" Rindge,
vs.
Massachusetts Bay

Mr. Rindges Pet$^{n}$ for a confirmation of the Report of the Lords of Trade, made the 8$^{th}$ Dec. 1736"

18 Dec. 1736.

" Filed 18 Dec$^{r}$ 1736."

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No. 20.

[P. 48.] To the Right Hono'ble the Lords of the Committee of his Majestys most Hono'ble Privy Council.

The humble Petition of Francis Wilks, Esq. agent for his Maj$^{tys}$ Province of the Massachusetts Bay

Sheweth—

That sometime since John Ringe of his Majestys Province of New Hampshire as Agent of the House of Representatives of the said Province preferred a Petition to his Maj$^{ty}$ humbly praying that his Majesty wo'd be pleased to declare & ascertain Sev$^{ll}$ Boundarys between the s$^{d}$ Provinces of the Massachusetts Bay & New Hampshire.

That your Pet$^{r}$ having sent a copy of the s$^{d}$ Petition to the said Province of the Massachusetts Bay & received their Instructions thereon & apprehending he was thereby authorized thereto & to avoid further Litigation & Expence he did (amongst other things) consent & agree for & on behalf of the s$^{d}$ Province of the Massachusetts Bay that the said Boundarys might be determined & settled by wise disinterested p'sons of the neighbouring Governments *to be nominated & appointed by his Maj'ty*

That for the reasons men$^{d}$ in a former Petition most humbly p'sented by yo$^{r}$ Pet$^{r}$ to his Majesty, your Pet$^{r}$ apprehended his s$^{d}$ Proposal to have been disagreed to & rejected, & so he acquainted the s$^{d}$ Province of the Massachusetts Bay in answ$^{r}$ whereto the s$^{d}$ Province acquainted your Pet$^{r}$ he was not warranted by his Instructions in making the s$^{d}$ Proposal, *they only authorizing him to submit to have the Boundarys determined by wise disinterested p'sons* to be *chosen* on the behalf of the

(1) Paris.

Province of the Massachusetts Bay *by the Assembly of that Province out of the neighbouring Governm'ts.*

That hereupon you Pet$^{r}$ conceived himself bound in Duty to lay before his Maj$^{ty}$ by Petition the mistake he had comitted, before any thing was finally done herein, w'ch your Pet$^{r}$ accordingly did. But on hearing the s$^{d}$ Petition before your Lo'dips to whom the s$^{d}$ Peticon was referred your Lordships were pleased to report as your opinion to his Majesty, That it might be adviseable for his Majesty to appoint and authorize Com$^{rs}$ to be chosen out of the neighboring Provinces in America to meet within a Limited time & mark out the dividing line between the s$^{d}$ Provinces.

That your Lordships on the 26$^{th}$ day of Octo$^{r}$ last referred it to the Lords Com$^{rs}$ of Trade & Plantations to prepare & lay before your Lordships such directions as they sho'd think necessary for his Maj$^{ty}$ to give to the s$^{d}$ Com$^{rs}$ specifying the time before w'ch the s$^{d}$ Com$^{rs}$ sho'd hold there 1$^{st}$ meeting, the most convenient place for such their meeting & of what number the Quorum sho'd consist.

[P. 49.] That the Lords Com$^{rs}$ of Trade & Plantations have accordingly by their Report bearing date the 8$^{th}$ day of Dec$^{r}$ last Reported to your Lop'ps as their opinion that the 1$^{st}$ day of Aug. 1737 sho'd be the day on which the Com$^{rs}$ sho'd be directed to hold their first meeting & that the first meeting of the Com$^{rs}$ sho'd be appointed to be held at the Town of Hampton in New Hampshire & that 5 of the Com$^{rs}$ sho'd be deemed a sufficient Quorum.

That your Pet, humbly insisted before the Lords of Trade that *Newbury* in the Massachusetts Bay *was a more Proper Place than Hampton* & that the Quorum ought *not to consist of less than a Majority* of the Com$^{rs}$ nominated who are 19 in number & Insisted as a reason for this that by the Law of England no man's Property sho'd be affected by a less number than a Jury of 12.

That the Lords Com$^{rs}$ of Trade then p'ceed to lay before your Lo'pps, such directions as they think necessary to be given to the s$^{d}$ Com$^{rs}$ & among the rest are pleased to propose that each of the s$^{d}$ two Provinces do send to the s$^{d}$ Com$^{rs}$ at their first meeting a Plan & full State of their demands or Pretensions in writing describing where, & in what places the Boundarys on the southern & northern parts of New Hampshire ought to begin, what courses & how far the same ought to run resp'ively & that copies thereof sho'd be mutually exchanged.

That your Pet$^{r}$ humbly submitts it to your Lop'ps consideration whether there be any Instance wherever an obligation of this kind was laid upon the partys in a case of the like nature & as there may be real difficultys in complying herewith your humble Pet$^{r}$ hopes this shall not stand part of the Instructions.

That the Lords Com$^{rs}$ of Trade & Plantations further propose that the whole of the Evidence w'ch shall be offered to the Com$^{rs}$ be put into writing by the Clerk & in presence of the Com$^{rs}$

That your Pet$^{r}$ humbly apprehends this ought to be done likewise in p'sence of the witnesses & that the Depositions aftr$^{d}$ so reduced into writing sho'd be read to the witnesses & then signed by them & that the reducing the Evidence into writing ou't not to be left to such minutes thereof as the Com$^{rs}$ Clerk may take.

That in that part of the report of the Board of Trade w'ch directs

the Com$^{rs}$ to adjourn in ord$^{r}$ to give time to Appeal your Pet$^{r}$ humbly apprehends it is not meant or intended that the Com$^{rs}$ sho'd have Power to abridge the 6 weeks p'posed to be given for that purpose, whereas if the direccons w'ch are sent to the Com$^{rs}$ run in the General words of the Report "or other reasonable time" It may be thought there they have such a Power, to p'vent w'ch yo$^{r}$ Pet$^{r}$ humbly submitts it to your Lordships whether it may not be proper to Express it such FURTHER REASONABLE TIME as the Com$^{rs}$ shall appoint.

That yo$^{r}$ Pet$^{r}$ further humbly apprehends that by the said direccons p'posed to be given to the Com$^{rs}$ the copy of the Process is not ordered to be given time enough for the Assembly to see it before they must determine whether they will appeal or not, but only a Copy of [P. 50] the final determination, whereas the Evidence being what the case must be determined by your Pet$^{r}$ humbly conceives it is reasonable they sho'd have that also before them for their consideration to form a right Judgm$^{t}$ whether they ought to appeal or not.

That your Pet$^{r}$ humbly Informs your Lp'ps the Assembly of the Massachusetts Bay always meet twice in every year, viz. The Spring & Fall sessions—your Pet$^{r}$ therefore humbly submitts it to your Lo'pps consideration whether it be necessary to keep the Assembly sitting or und$^{r}$ short Prorogations during the time of this Enquiry as it may be of great & general Inconvenience to the members & create great uneasiness in the Province.

That the Report of the Lords Com$^{rs}$ of Trade & Plantations mencons that your Pet$^{r}$ has agreed that the *charge* attending this Comission & the Execucon thereof sho'd *be equally born* between each Province, as to w'ch yo$^{r}$ Pet$^{r}$ begs leave humbly to represent to your Lordships that p'suant to his Instructions he has in the strongest manner humbly insisted *that the Com'rs* on the behalf of the Massachusetts Bay *ought to be named by the Assembly of that Province* but as it has been determined otherwise & as it has been Ordered that a Comission sh'd Issue to the Com$^{rs}$ w'ch have been p'posed by the Lords of Trade your Pet$^{r}$ did declare he co'd make no objection to the Expencess attending the Execucon of the Com$^{rs}$ being born equally by both Provinces & that he thought it reasonable it sho'd be so, & he now offers nothing in opposition thereto, but yo$^{r}$ Pet$^{r}$ being no otherwise concerned than meerly as an Agent for the Province of the Massachusetts Bay, & having had no Instructions from them in relacon hereto, so he cannot consent or agree to it but he does not oppose it, as thinking it reasonable it sho'd be so.

That your Pet$^{r}$ most humbly Assures your Lordships he does not p'sent this his Petition with the least view to retard or delay this affair & as the strongest Evidence thereof he does not Insist to be heard by his Council, but is willing & hereby submitts the sev$^{ll}$ m're contained in this Petition to your Lordships great wisdom & Justice without desiring to be further heard thereon humbly praying your Lordships to make the Sev$^{ll}$ before men$^{d}$ alterations in the direccons to be sent to the Com$^{rs}$ with such

further & other direccons in relacon thereto as to your Lordships shall seem proper & necessary.

And yo$^{r}$ Pet$^{r}$ shall ever Pray, &c

Francis Wilks.

Indorsed—
" Copy—Petition Francis Wilks, Esq.
agent for the Province of the
Massachusetts Bay "
Presented 19 Jan$^{y}$, 1736.

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No. 21.

[p. 52.]
Sir—

The Enclosed is just now sent to me from the Board of Trade. I hope it will come time enough to catch the Ship *Ceraus?* I am told it contains a severe reprimand to Gov$^{r}$ Belcher (upon the Pet$^{n}$ of Mr. Graves who was p'secuted ab$^{t}$ the Bounds & whose pet$^{n}$ I deliv$^{rd}$ into the Board lately) and that Reprimand sent to Mr. Dunbar, for his own delivery into Mr. Belcher's hands, w'ch will be of pleasure & service too, to our friends in New Hampshire.

Mr. Wilks has given us a parting blow, by a Peti'on complaining of almost all the direccons proposed by the Board of Trades Report. We have just seen it & bespoke a copy of it, in ord$^{r}$ to be heard to-morrow night upon it, but cannot yet send you a copy, having none my self.

I hope a l're on Saturday morn$^{g}$ may catch the ship, but however you may (now) venture to give yo$^{r}$ Friends strong hopes, that we are at the end of the Line of oppositions on this side of the water, & that I am their, and also, Sir,

Your most obedient serv$^{t}$

Surry Street,
20$^{th}$ Jan$^{y}$ 1736–7.

Ferd. John Paris.

Y$^{e}$ Packet above mentioned I have inclosed to Mr. Sam$^{l}$ Wentworth, to forward to Coll. Dunbar or in his absence to Theo. Atkinson, Esq.

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No. 22.

[p. 53.] Sir—

*The Lords have neither altered time, place nor Quorum of the Com'rs*, They think the Assembly should neither be kept sitting nor under prorogation, and they have enlarged the time for the p'tys to declare whether they appeal or not, from the 6 weeks, to 3 months (if the Com$^{rs}$ see fitt).

But they have added two notable matters, that if the Massachusetts do not name Attorneys (to be served with Sumons, &c.) at the first meeting of the Com$^{rs}$, or do not, at such 1$^{st}$ meeting, give in a plain state of their Demands, *then the Com'rs are to proceed ex parte.*

I have not more at present but remain

Sir—your most obed$^{t}$ serv$^{t}$

Friday night
past, 11. 4 Feb. 1736–7.

Ferd. John Paris.

Superscribed—" To Capt. John Thomlinson,
Merch$^{t}$
in Great Trinity Lane."

I really have not time to write, to send you these that you may in some measure be informed how things goes on.

Feb$^{y}$ 12, 1736–7. J. T.

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No. 23.

[p. 54.] Sir—

The Report of the Councill agreeable to what I last men'$^{d}$ to you was on Wednesday last confirmed, notwithstanding the Kings indisposition, & orders are made out to the Attr$^{y}$ & Soll$^{r}$ Gen$^{l}$ to prepare the Dr$^{t}$ of a Commission, & to the Board of Trade to write Circular Letters.

As the business now begins to encrease & the Fees likewise in a great degree, I shall be much obliged if you please to let me send to you, at yo$^{r}$ best leisure for a considerable supply.

And in the mean time remain

Sir, your most obliged humble Serv$^{t}$

Surry Street Ferd. John Paris.

11 Feb$^{y}$, 1736–7.

Superscribed—"To Capt. John Thomlinson
Merch$^{t}$
in Great Trinity Lane."

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No. 24.

[p. 55.] Sir—

I enclos: you a copy of the last ord$^{rs}$ & shall wait on you at Loyds in a day or two.

We can not too soon apprise our Friends on the other side of what is done & doing.

The Board of Trade will presently prepare their Letters to inform the Gov$^{r}$ & the two Provinces, & I should be glad to know whether an imediate opportunity offers of sending their Letters away.

I want to carry the ord$^{r}$ to the present Att$^{y}$ & Soll$^{r}$ to prepare the Comission but our great loss (1) this morning makes me apprehensive of a change in those officers, so that one must wait (or at least it will be best to wayt) two or three days first, to see what changes ensue.

In the mean time, I am

Sir—your most obliged humb$^{l}$ serv$^{t}$

Surry Street, Ferd. John Paris.

14 Feb$^{y}$, 1736–7.

Superscribed—
"To Capt. John Thomlinson
Merch$^{t}$
Great Trinity Lane."

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No. 25.

[p. 56.] Sr.

I have the Honour to Enclose an ord$^{r}$ of Council, That my Lords Com$^{rs}$ of Trade & Plantations sho'd write certain Letters (relating to the affair of the Boundarys between his Maj$^{tys}$ Provinces

(1) In margin, "The Death of my Lord Chancelour very much lamented by every body."

of Massachusetts Bay & New Hampshire) unto the respective Govrs of New York, New Jersey, Nova Scotia, Rhode Island, Massachusetts Bay & New Hampshire, as proposed by a Report from the Lords of the Comtee of his Majtys most Hon'ble Privy Council, included in & approved by the sd order.

And as these Letters from my Lords Comrs are to precede & give notice of his Majtys intended Comission, that the Comrs & the partys may prepare against the 1st day of August next, when the Comission is to be opened, My humble request is that their Lordships will be pleased to write these Letters with what convenient speed they may, & this the rather, because I am very well informed that a ship departs from London for New England, on Saturday next.

In going through the Report you will observe that a former *proposal that the Assemblys* of the contending Provinces should be kept sitting or under short prorogations, in ordr to receive & determine whether to appeal from the Comrs final determination, *is not incerted.*

*That proposal was objected to* by the agent for the Massachusetts Bay as inconvenient for that Province, & it is no part of the present ordr.

But by the p'sent ordr & by the Comn to be prepared in consequence thereof, if either Province to be aggrieved by the Comrs determination shall not appeal from or except to the same, within a limited time, no Appeal or Excepcon is to be recd afterwds

The former conduct of the Province of Massachusetts Bay in this affair, the many endeavours used by them at least to delay if not to prevent, this Comission: *The Gov'r of the* SMALL *Province of New Hampshire being a native & Gov'r over, the other* GREAT *Province* of the Massachusetts Bay, also his late Declaracon that the Lines in contest wo'd never be run, and the consideracon that he only calls the Assembly of New Hampshire, who, alone can determine whether to appeal or not, if occasion shall require:—all these considerations make me exceedingly anxious, lest it should happen that an Assembly of New Hampshire sho'd not be called to determine upon this affair, & that, for want thereof, the Comrs determination agt them sho'd become final.

[p. 57.] And therefore it is, that I am a most humble Petnr to my Lords Comrs for Trade & Plantations that they will be pleased to interpose in this matter, in such maner as to their Lo'pps shall seem meet, so that the Province of New Hampshire may not, by any means, be deprived of that great & valuable priviledge, most graciously intended them by his Majty of appealing from the Comrs Determinacon, if aggrieved thereby.

I could not omit menconing this to you, & am with the greatest respect,

Sir—your most obedient servt,

Surry Street
15 Feby 1736–7.

Ferd. John Paris.

To Alured Popple, Esq.
Secretary to the Rt Hon'able the
Lords Comrs for Trade & Plantations.

Indorsed—"Rindge *vs.* Massachusetts,
15 Feb. 1736–7.
My Memorial to Board of Trade
to hasten their Letters."

No. 26.

[P. 58.] London, 15 Feb$^{y}$ 1736–7.

Gentlemen—

I have but just Time by this ship to Inclose you the within papers, being of Mr. Paris's mind that *you ought to know as soon as possible what you have to doe*, that you may be making the necessary preparation to act conformable to the Commission & Instructions that will soon follow these, which I hope you will be very carefull to Doe, that you may continue in the good oppinion of your friends here ; then may you expect you will have Justice Done you here, upon any Apeal from the determination of the Commissioners, by either Province, and speedily. I am satisfied that you will not trouble his Maj$^{ty}$ with an A'peal if the Commissioners determine the affair in the manner you construe the Charter, and that all along apears to be the construction here; especially on your South Boundary, and for any triffling difference on the north, I hope you will be easy under: George Jaffrey & Theodore Atkinson, Esq. seems by their Letters to me to be masters of the affair, *I hope they may be your agents to attend ye said Comissioners* whom I heartily wish may determine the affair so that neither of the partys shall have cause to appeal, it will be a very great pleasure to

Gentlemen, your most Humb$^{l}$ Serv$^{t}$,

John Thomlinson.

To Andrew Wiggin & John Rindge, Esqs.

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No. 27.

[P. 59.] Sir—

This encloses to you a Duplicate of the ord$^{r}$ in Councill under Seal, which you will please to forward to yo$^{r}$ Friends in New Hampshire for their own use & service.

This is also to accompany 4 Letters from the Lords of Trade to the Gov$^{rs}$ of New York, New Jersey, Nova Scotia & Rhode Island : Please to forward them with all speed to those Sev$^{ll}$ Provinces, & I beg the favour that you'l keep a mem'dum when & by what Ships you send each of them.

There are two other Letters from the Lords of Trade, One to Mr. Belcher as Governor of the Massachusetts Bay, the other either to himself or such other person as shall have the supreme comand & shall actually be in New Hampshire. These two Letters (last menconed) I beg of you to send to some very safe hand in New Hampshire, who must make an affid$^{t}$ of the delivery of one of these Letters (that to Mr. Belcher as Gov$^{r}$ of Massachusetts) into Mr. Belcher's own hands, & that affid$^{t}$ should specify the time & place when & where it was so delivered; & the affid$^{t}$ should likewise contein an acc$^{t}$ when & where the other Letter to the Gov$^{r}$ or Comd$^{r}$-in Chief of New Hampshire was delivered to the Comd$^{r}$ in Chief of New Hampshire, in New Hampshire; and this affid$^{t}$ should be sent back to you here as soon as possible.

I have bespoke Duplicates of all these Letters ag$^{st}$ the next ships. The orders are left with the Att'y & Soll$^{r}$ Gen$^{ll}$ who are preparing the Comission & you may rely on it that they shall have continual applicacons from me till I get the Comission from them.

I can only add here that it is thought by some very good Judges

that whoever is the Com'd in Chief resident in New Hampshire will be very well justified in calling the Assembly there on receipt of these Letters.

I am, Sr—Your most humble Servt,
Ferd John Paris.

Surry Street, London
19th Febv 1736.

Superscribed—"To Capt. John Thomlinson
Mercht
in Great Trinity Lane."

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No. 28.

[p. 60.] London, 5 April 1737.

Sir—

Altho the Bearer hereoff Mr. Plummer his coming over Collector of your place may be some Disadvantage or Disapointment to you, yet when I tell you that I dare say he will prove the most agreeable Gentlemen that you could have had, in every Respect, you will excuse my here recommending him to your friendship, and as I am sure it is his inclination (as far as is consistant with his duty) to give as little trouble as possible to the Trade and Navigation of the Port, I am sure you will advise and assist him to set out Right, that he may be of general service to the country, for he is a gentleman of good sense and of a very good family & good circumstances and I heartily wish you had a greater number of such familys concerned for the welfare of your province. You must Excuse me not writing one word of Business, I and my family are under very great affliction for the sudden loss of as fine a Boy as ever was Born that was well at school on Saturday and Dead on Thursday following, and my other friends must Excuse me allso for I am Really not yet capable to set at Business as I ought, and can only add that I am,

Sir, your most Humbl Servt,
John Thomlinson.

Theodore Atkinson, Esq.

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No. 29.

(Copy by Egleston)

[p. 61.] London, 27 Augt 1737.

Theodore Atkinson, Esq.

Sir—I have but just time to tell you that Coll. Dunbar has given Bail to Mr. Wilks and the other occation, And now has his Enlargement & about among his friends, he was very Imprudent at his first coming, not to take the advice of his friends, and the Board of Green Cloth would have protected him from any thing of that nature. I hope he will be more carefull for the future & I hope he will succeed in his solicitations. I see Govr Belcher has Recd ye Packett containing his Majtys Instructions from you, by his Proclamation, &c. Allso that he has prorogued your Assembly untill 4 days after ye meeting of the Commissioners, contrary to his Majtys Design & Instruction, *Surely in order to prevent your choosing such Two persons properly Qual'd to*

*attend the Commissioners on the first day of their sitting* as his Majestys Instructions direct, and I fear hath thereby Defeated his Majtys most gracious Intention of having the Boundarys fixt and settled. I have already laid those things before the Lords Commissioners of Trade and Plantations, and if he should by this or any other act obstruct the Speedy settlement of the Boundarys, I hope the Assembly will with all speed send me as stroug a Remonstrance to his Majty in Council as possible, of any such Act, and allso of the many Grievances the Province hath and does still labour under, by his Administration; and as full proofs to support it as possible. I assure you I have not failed or shall I of Executing any commands the Assembly shall give me, and noe Remonstrance or complaint comes with that weight as from an Assembly. I think it more proper to communicate this to you Rather than ye Comittee, because it might look too much like my Directing them. You will only communicate this to a Friend or two. I believe the Coll. writes you by this conveyance. I am,

Sir, your most obt Humbl Servt
John Thomlinson.

Indorsed—"Thomlinson abt
the Lines, 1737, to Atkinson."

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No. 30.

[p. 62.] London 15th Oct. 1737.

Sir—

My last to you was 27th August pr. Capt. Egleston & Stanney. Since which I have not had any of your favours neither are any of my friends at your place so diligent as to inform me any thing of your proceedings as they have frequent opportunities by way of Boston, *that I can know nothing but what I pick up out of the Boston prints*, Therefore I can not tell how you are like to succeed in running the Boundarys, but this I am pretty sure of That had you and Mr. Jaffrey, Mr. Rindge, Mr. Wigan, &c. took care that the Remonstrance of the Assembly to his Majty setting forth your grievances under G. B. administration and the Bad consequences that must attend his Majtys Province allways by being under the same Governour with the Massachusetts, I say had you Quietly sent home such a remonstrance (which I am told either was drawn up or was Designed) *you had been by this time been a sepperate Government.* I do every thing for you I can here, but if you will not assist when I tell you that Petitions or Remonstrance from a Body of men have a weight,—besides I can act with more assurance of success & courage and satisfaction to myself, I have not seen *Col. Dunbar* for some time, he is at *Hampton Court*, and Mr. Jones tells me he hath gott him out of all his difficultys and hopes he will succeed in his solicitations. I wish he may. I am,

Sir, your most Humbl Servt,
John Thomlinson

Theodore Atkinson, Esq.

Indorsed—"Thomlinson abt the Prov.
1737."

# THE BELCHER CORRESPONDENCE.

## 1731-1737.

*Correspondence of Gov. Jonathan Belcher with Secretary Richard Waldron and others, of the New Hampshire Province.*

NOTE. The Letters which follow are specimens of a Correspondence between Gov. Belcher when in Massachusetts, and Secretary Waldron, relative to affairs in New Hampshire. Letters were frequently passed between them. The Governor, on his part, indulges in a freedom and style of remark which can hardly be considered creditable to him. Should any person hereafter undertake to write the life of Gov. Belcher, he might, to advantage, consult the Waldron Papers now in the archives of the New-Hampshire Historical Society. For the sake of reference the letters are numbered.

☞ The Letters of Sec$^{y}$ Waldron appear to be copies, or rather first draughts of those written by him to Gov. Belcher, and the Governor's letters all bear his signature in his own hand, tho' probably copied by his clerk. ED.

### Letter No. 1.

*From Richard Wibird and Henry Sherburne.*

*May it Please your Excellency—*

A Saturday toward Eve being in Company w$^{th}$ sundry Gentlemen in Town a paper was produced in presented to us for our signing It had one or two cursory readings but our memorys are too frail for us to pretend to give a particular account of y$^{e}$ contents but to y$^{e}$ best of our remembrance It was in the nature of a memorial or Petition to y$^{e}$ L$^{ds}$ of Trade and Plantations. It was then subscribed in our Presence by Mr. Geo. Jaffry, Mr. David Jaffrey Mr. Ben$^{s}$ Wentworth Mr. Atkinson & Mr. Wiggin & by whom since we know not but tis very probable the party will endeavour to get what additions they can. It mention'd the sudden proroga of the Assem by yo$^{r}$ Excell$^{ys}$ order which hindred an Address for y$^{e}$ redress of Public grievances.

It treated of the affair of y$^{e}$ line at large, showing y$^{e}$ readyness of this Governm$^{t}$ & y$^{e}$ backwardness of y$^{e}$ Mass$^{a}$ to settle it & proposed y$^{e}$ matters being laid before his Majesty forthw$^{th}$.

It mentioned great disadvantages y$^{t}$ this Province was under by reasons of the Gov$^{rs}$ residing in another Province (viz.) That It prevents passing acts that might be beneficial &c. with Earnest prayers for a seperate Goverment. Morover it mentioned something of a Disgust taken by your Excellency ag$^{st}$ them & that therefore Constables were forced to ride 30 odd miles to be sworn, & to y$^{e}$ best of our remembrance it said something ag$^{st}$ advance payments of y$^{r}$ Excellencys salary. These are but broken hints, but are such as we can recollect. We utterly refused signing, & tho't proper to consult Messrs Gambling

& Waldron upon this head & accordingly we did this morn who intirely agreed & joyn'd w^th^ us in sending a dispatch to your Excellency w^th^ an account of these things. There is a ship bound for England ready to sail & goes tomorrow if y^e^ weather favours—on board of which we suppose is to go this Petition. If an out wind or storm should stop her (w^ch^ we earnestly pray for) 'til Wednesday night, We hope your Excell^cy^ will have an opportunity of counter writing by y^e^ same conveyance, for we shall hardly Expect to see our messenger till that time. We are

Yo^r^ Excell^ys^

Very humble Serv^ts^

July 12^th^ 1731, R. Wibird
3 o'olock P. M. Hen: Sherburn.

[The above is in the hand-writing of Mr. Sec^y^ Waldron, as is also the following on the same sheet. Ed.]

May it please your Excell^y^

Capt Wibird & Capt Sherburne communicating to us some passages of last Saturday agreeable to the contents of the foregoing letter, We tho't it our Duty most readyly to joyne w^th^ them in a message to your Excell^y^ & accordingly have done so, that your Excell^y^ might not be ignorant of the scheames & designs of the discontented, but might if possible have an opportunity of writing home in the same ship, in w^ch^ goes the mighty memorial, tho' really we fear the vessel will sail tomorrow for y^e^ master is so resolved, wind & weather permitting. We are

Yo^r^ Excell^ys^

most obed^t^ humble serv^ts^

July 12^th^ 1731 R. Waldron
3 o'clock P. M. B. Gambling.

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No. 2.

*From Gov'r Belcher to Sec'y Waldron.*

Sir—

Capt. Hopson bro't me yours Dated this month, and the Post yours of 9: current, with what past in the Assembly, By which I find the mal contents are Restless and uneasy, and very Ready to do Mischief, but Hate to do good, The part you acted was Exactly well—(Presuming it was all with good manners to his Honour). What shall we say, and how shall we help it! We are Miserably of it, att the Council Board. I never tho't one of my Treasury Commis^rs^ to be any match att argument. The Lieutenant Govern^r^ tells me he has had complaints, and that the People suffer for want of a Justice att Kingston, Chester, and Derry; and you mention Streatham. The King's qualifications for officers in my Instructions, are to be men of *good Lives, well affected to the Goverment, of good Estates and abilities.* Let me therefore as soon as you can have the names of persons for each of those Towns & such as are best qualify'd, and make out Commissions and send me to sign. This matter for some Reasons requires Dispatch, and you must be sure the Persons will accept, before the Commissions are made out.

I know no Foundation for the Faith you say three in four have taken up, and if People are so silly as not to hold up their heads and keep up their courage, there's no forcing them. I Return you the Military Commissions (sign'd) to be given Coll. Sherburn, and Deliver'd att such a juncture as he shall judge seasonable. Send me allso Commissions for the two special Justices on the occasion you mention. Let them be the best men you can find. You must advise and assist Capt. Wibird about his Enclosed Collector's Commission. I send you also the King's Instruction in this matter, which you must Lodge with the other Instruction in the Councill Files.

I find the Gentleman very restless and uneasy. I don't altogether differ from you about his starting over the Atlantick. I believe Mr. Gambling may have given a hint of a complaint made against you by the Lieutenant Governour, which was in these words, viz. "I intended "to have sent your Excellency an account of what past Both att the "Councill Board and in the Assembly, but have not been able to get "one for myself, the Secretary and the Journals being in the countrey; "I do not say this by way of complaints of him, because if I was in-"clined to it, I could say something more material, but 'Tis not worth "my notice &c" The King having Done Coll. Dunbar the honour of a Commission for Lieutenant Governor of New Hampshire it is my order, that you never show him the Least slight or Disregard, but allways Treat him with all Possible Respect and Homage. This Letter goes as you Desire. And so I shall do for the future. If the Lieutenant Governor is not att Portsmouth, I have ordered the Post to give you my Letter for him—To be Delivered as soon as he may come.

I am S^r^
Your Friend and Serv^t^,
J. Belcher.

Boston,
July 12, 1731,
Mr. Sec^y^ Waldron.

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No. 3.

*From Sec'y Waldron to Gov'r Belcher.*

Sir—

I have Inclosed a copy of y^e^ Lt. Gov^rs^ Commission (1) & two copys of y^e^ votes past last sessions, w^ch^ is all y^e^ Court then did. I sent your Excellency a copy of y^e^ vote before, & likewise sent y^e^ Lt. Gov^r^ last week a copy of y^e^ same, & y^e^ minutes of y^e^ sessions w^ch^ he required of me for your Excell^y^. I mention'd nothing in the minutes of his Question whether he might not sign y^e^ vote or prorogue to another time bec: It came not to a vote. I have sent a copy of my answ^r^ to his letter & pray yo^r^ Excell^y^ to return me y^e^ original I sent pr Sherburne. I hope yo^r^ Excell^y^ will give orders next week for swearing Capt. Wibird y^t^ y^e^ people may see who is Command^r^ in Chief, I have tho't if yo^r^ Excell^y^ sh'd not order y^e^ President & Council to do it it might not be amiss to order y^e^ Presi'd^t^ & Mr. Jaffrey y^e^ two oldest Councill^rs^ to see whether y^e^ latter w^d^ follow y^e^ Example of his patron & deserve a suspension.

I am &c.
R. W.
July 16, 1731.

[Indorsed] "Copy to
y^e^ Gov^r^ July 16, 1731."

(1) Lt. Gov. David Dunbar.

No. 4.

*From Gov'r Belcher to Sec'y Waldron.*

Sir—

I have now lying before me yours of 12 : present pr C$^{t}$ Sherburne, & 16 : Ditto pr Post—and particularly observe the Lieut. Gov$^{rs}$ Letter to you and your answer—and am pleased the latter is so full of good manners. Its best to be patient & steady and to be very exact in every point of Duty.

I am glad my Letter per Sherburne got seasonably to go by the Ship from your River—(Pray who's the Cap$^{t}$.) as to the Justices for Kingston—Streatham—Chester & Derry, they must be men as near the King's Instructions as you can find 'Em, and so the Special Judges, and I desire their Commissions may be sent me, as soon as you conveniently can. I now return you the Commission for Coll$^{o}$ Sherburne's Regiment, which shou'd be distributed at such a Time as may be most seasonable on all accounts.

Inclosed is Mr. Atkinson's Letter to me and my answer—return the original, seal and deliver mine & give me your Tho'ts.

Let Wibird be easy, and I think all will be right. If Atkinson has not recorded his several Commissions (or Powers) with you, you may say the Gov$^{r}$ by his Letter depends they are so done, however let there be no Delay but authentick copies pr the Post.

I take Notice of every Particular relating to his Honour &c. Some People seem to be like a wild Bull in a Net, and perhaps may be by and by caught in their own snares. Its best carefully to watch all their steps, and counterwork their wickedness for the Good of the poor People they would deceive. 25 or 30 make up but a small Number of Complainants, Especially if we consider how many Scrub, Paltry Fellows are among 'Em—I have wrote Coll$^{o}$ Walton particularly about the Fort which I desire he would show you, If he be steady, he shall be Capt$^{n}$ of the Fort, Maugre the Lieut Gov$^{r}$ and all his scycophantick adherents. I wish it may be so that he has sent my last letter to England.

I shall write pr Cary, for Mr. Dennet's Mandamus, & wish Coll. Gillman & Gerrish would order money for theirs. I fancy he will not return suddenly from his Dear Joyes.—Its best to give the Oaths to all the military officers—There's a clause in the Lieut. Gov$^{rs}$ Commission that Tedders him,—" According to such Instructions as you shall receive from us, and from our said Capt. General and Chief Governour of our Province of New Hampshire, Now," &c :

The Letter I have from Walton, Wibird & Sherburne have good spirit in 'Em you must often consult one another, & read to each other the Letters I write, you must not suffer yourselves to be bullied or frighted on any account but be steady and strong.

I beleive they they heartily repent their not coming into the affair of the Line. The Massachusetts will by no means abate the Course of the Law, since your Representatives were so stubborn & humersome—Its best the common People should know it, and let the blame lye on those busy wicked Instruments who have prevented an agreement between the Provinces. Consult all our Friends to make a good Judgment whether there may be a proper Juncture for a New Assembly, I would then dissolve this, and be at Portsmouth a few Days be-

fore the choice, But you must be able to make a shrewd guess before this matter be attempted.

Think and consult well, and tell me if any thing can be done to purpose. I say let your spirits rise with your Difficulties. I have done in the County of York as I told you—perhaps it may do good 'o your side of the River—I am,

Sir—your Friend

Boston July 18: 1731. and servant

J. Belcher.

For some Reasons I chuse to send
all my Letters under cover & you must
deliver 'Em.

Mr. Secry Waldron.

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No. 5.

*From Gov'r Belcher to Sec'y Waldron.*

Sr—

Let me have the Commissions for Justices at Derry—Kingston—Chester and Stratham and for the two Special Justices.

I have sent a Dedimus to Walton and Sherburne to administer the Oaths to Wibird, and have so wrote the Lieut. Govr and my Letter to Atkinson is open in Wibird's—I say be you all strong and steady, and get a Petition from all the officers in the Government to counterwork their secret Complaint. You must be indefatigable where the Enemy are so vigilent. I am really afraid great Inconveniences will arise on the Line, and who must be thankt but those who had wickedness and Influence enough to prevent the Committee's meeting. I wish the Lieut. Govr may be a true Prophet & that the Line may be fixt before Christmas, nor am I very sollicitous how.

I know he has long talkt of this Province being put under another Form of Government, but this may'nt happen in his day. He wrote early for my leave to go out of the Province and he has it. If we could get a good new Assembly it would be a fine thing. When Colle Westbrook comes hither I shall consult him about the Troop you mention. I now return you the Lieut. Govrs Letter. He complains to me of the great Disorder in your office, that the Records are only on Scraps of Paper and that you have made a gross mistake in omitting in the Commissions to say *George the Second*, you must be carefull and Thoughtfull in every thing of your office, he says he should suspend you 'till my Pleasure should be known—To which I have wrote pr this Post, I shall not allow him to do any such thing, But that I shall examine into all the matters, when I come to New Hampshire in September. It is my order that you do not deliver the seal to the Lieut. Govr or any Body else without my special order, and as soon as you can conveniently, I would have you come to me hither upon some particular Business.

Be all of you steady, strong and mannerly. Deliver my several Letters, and see by Wibird what I write

I am— Your assured Friend

Boston, July 26, 1731, J. Belcher.

No. 6.

*From Sec'y Waldron to Gov'r Belcher.*

Extract.

May it please yo$^{r}$ Excellency.

"I beg leave to congratulate yo$^{r}$ Excell$^{ys}$ safe return to Boston, w$^{ch}$ I heard of w$^{th}$ y$^{e}$ utmost pleasure, tho' I had not y$^{e}$ honour of knowing it from yo$^{r}$ Excellency's hand.

"We have nothing remarkable since yo$^{r}$ Excellency left us. The Discontented continue their buzzing endeavouring to amuse the ignorant w$^{th}$ falsitys, as has been their way. The Bonny Laird is not yet come that I hear of. I fancy his withdraw will raise suspicions in his best friends. I can't yet come at y$^{e}$ designs of Warners complaints to yo$^{r}$ Excellency. Perhaps he was not sent, as we first tho't, but a desire of hon$^{r}$ prompted him to make y$^{e}$ Essay, he is too cunning for old H . . . otherwise I question whether he would have told yo$^{r}$ Excell$^{y}$ (so suddenly) he was fit for a Captain of y$^{e}$ Troop. I have heard that some of Col. Dunbar's friends have said $^{yy}$ expect him daily. It can't be long surely now ere y$^{e}$ arrival of some vessels from Engl$^{d}$ I long to hear from Whitehall what yo$^{r}$ Excell$^{y}$ may think proper to honor me with a hint of especially relating to y$^{e}$ affairs of this Province, and am with utmost duty,

Yo$^{r}$ Excell$^{ys}$

Very obed$^{t}$ obliged &
Devoted humble serv$^{t}$
R. W.
March 23$^{d}$, 1732–3

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No. 7.

*Gov'r Belcher to Sec'y Waldron.*

Hon$^{ble}$ Sir—

The Post brings me your Favours of 22 : & 26 : P'sent. I hear not a word of Reynolds or old H—— and am still of opinion (as formerly) that Sancho (1) must consent to his Dismission, which I think he never will, because he can't expect any better Provision, my last Letters saying—"I believe D——r's character is pretty well known "with some of the Lords of the Council to be far interested"—and I am told he is greatly in Debt at Home: and by the appearance of all things, the Irish Wind-fall winds up to a Button. So you may be long plagu'd with him.

I assure you I have nothing but good news from Mr. Belcher. (2) If a new Gov$^{r}$ be appointed, why won't they favour us with his name: I am not able to make any opinion about the Line. The Lords of Trade will favour New Hampshire all they can—But when the affair will be settl'd seems to me very uncertain—I most sincerely wish it was well over, and can't but think the Massachusetts have been very culpable or it had been done three years agoe.

I have the Same Sense of Sancho's Insolence that you have and the very same opinion of the man I always had, yet as it was the time for the Fast, how could I avoid the steps I took, and I am not displeased

(1) Sancho appears to be one of the epithets which the Gov'r applies to Lt. Gov'r Dunbar. Ed.

(2) Supposed to be the Govr's son or a brother in England. Ed.

that he treated the orders of the King's Gov$^{r}$ with so much Rudeness & Impudence.

As to the pusillanimous Wretches (1) from whom we want assistance What shall we say or what shall we do? five have been lately admitted by your approbation, but except yourself, you say no man open'd his Jaws—When our Friends have all the Places of Profit and Honour, & yet are useless, I again say, What shall we do? What made the old ——go out of Town instead of being at his Duty; most certainly the mention of a Lt. Gov$^{r}$ in the Salary but can have no other meaning than what you say. St. Pat$^{s}$ constant course of Folly makes him contemptible. I have had the same thoughts about the Fort, Passes, &c. but am desirous to do things in the wisest manner.

The P——s—dt (2) is a despicable mortal, yet I now inclose him the Proclamation for a Fast, leaving it to the Council to set the particular Day; and the order to him I cover to you, to be deliver'd or sent him, as may be tho't most proper, when you have read & seal'd it—and after consulting Gambling & old H—— & who else you please, I intirely submit it to your Prudence, whether to proceed in the matter or not. But if upon your own most deliberate consideration, you think it best not to go forward at present then it may be best not to open your lips to any body about it. On the other hand, if you think the Council will be strong enough, I should be best pleased with appointing the Fast in this manner.

The merchants private Bank here, and what they are bringing forward with you, bids fair to ruin this Country. Its too long a story to tell you how big these things are of fatal consequences.

I don't flatter you, but really Sir, you behav'd in Council like a Hero, upon every particular that hapen'd there.

I thank you for the accounts which I have also at large from Mons$^{r}$ and the answer I have given him is inclos'd.

I shall write for the Carrier to Coll. Gillman for copies of his Orders without mentioning any Reason.

Old Slade (3) is a poor creature, yet if he comes this way, I will have some talk with him. The affair of the Excise man must rest for the present. I remain with much Respect

Sir, y$^{r}$ assured Friend

Boston, J. Belcher.

April 29: 1734.

Mr. Sec$^{ry}$ Waldron.

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No. 8.

*Copy of the Letter from Lt. Gov'r Dunbar—above referred to—to Gov'r Belcher.*

Sir—

On Fryday last the Carrier deliver'd to me a Packet at Exeter where I was upon his Majesty's service, and in it an order from your

(1) The Gov'r probably refers to members of the Council, who were not in his interest, but opposed to his policy. Ed.

(2) Shad'a Walton, being the oldest member, was President of the Council in the Gov'rs absence. Ed.

(3) Arthur Slade, of New Market, was a man of Some note in his day. He died Jan. 12, 1746, aged 64. Ed.

Excell$^{y}$ dated from no Place the 11$^{th}$ Inst. for convening the Council here, and asking their advice upon a Proclamation for a Gen$^{ll}$ Fast upon the 25$^{th}$ Inst. Dated also the 11: Inst. and said to be from the Council Chamber in this Town, when every body knows you were at Boston, and I know no Council was held here on that day—I have always been of opinion, and am confirmed in it by the advice of every Gentleman, except a few here under your Influence, that you have no Right to send——(1) ers hither in the manner you do, a few Days will convince——that you have not, in the mean time, I shall only say—— to the Proclamation, that I can by no means be——in issuing of it, the Day appointed being a Festival——Act of Parliament. I was in hopes two or three mistakes your Excell$^{y}$ had made at Boston in proclaiming a Feast on a Fast, & a fast on a feast Day of the Church wou'd have prevented any more such, except it was done in Contempt of Church authority, which may be reasonably suspected by your giving sanction to your Platform of Worship, where you say That Arch Bishops, Bishops &c. not being Plants of the Lord's planting shall be all rooted out & cast forth at the last. I don't doubt but you have or will hear from home upon that Act of Government.

As to your Warrant for paying your Salary in advance I must presume your sending it to me was in case I should offer it for the Councils approbation (tho' it is already sign'd & countersign'd as if by their advice) to make use of it as an argument against my demanding any Part of it, for which Reason I shall not only suspend offring it, but protest against paying it untill I know who has the Right to it, your Excell$^{y}$ knows there is no money in the Treasury, and so delaying this for a few Days untill ships arrive can be no Detriment.

I did not intend to have troubled you with any Letter, at this time, but having this occasion, I can't avoid taking notice of your Treatment of me in sending your orders from Boston to the militia Officers here without any notice of me. This, Sir, is unprecedented & not like a soldier, and no man but yourself wou'd have done it; this and your other usages of me is in effect taking His Majesty's Comission from me, which I shall not give up untill it is his Pleasure to take it; yet your construction of my Powers has made it so contemptible here that I meet with all the opposition & Disregard in the execution of my Duty, & in support of the King's service as Surveyor of the Woods.

I presume by the time this reaches you our Dispute will be ended from Home. Your manner of sending your orders was I suppose to avoid saying,

Sir,
Your humble——————

(Copy defaced.)

P. S. I will call the Council to morrow and if they will joyn with me, I will appoint Fryday after your Excellency's appointment, being the 26: Inst. for Fasting & Prayer, &c.

Indorsed—" Copy of D. D's Letter to y$^{e}$ Gov$^{r}$ D. D. ab$^{t}$ Fast, Aprill— 1734."

(1) The paper is here mutilated. Ed.

No. 9.

*From Gov'r Belcher to Sec'y Waldron.*

[With Extracts of Letters from England.]

Sir,

I have yours lying before me of 24: & 27: p'sent. The Riot cannot be mention'd but with abhorence. I send you another Extract out of a Letter last week Pr Prince. That from Sancho's must be treated with great Secresy, lest he should know I have the knowledge of what he writes, yet, you may in a prudent manner, let Coll. Jo: (1) & Husk know his Baseness.

I think I have put matters relating to Mons^r^ into a Stronger method than you suggest. But I command you some way or other to quicken Coll. Gilman in what I believe he is earnestly ingaged In, and fail not to let me have the Copies I have desir'd as soon as possible.

I am well enough pleased at the Turn my order took about the Celebration, and have put into this Day's Print, what you sent. Gambling is a brave fellow, and I have taken an opportunity to school of Sh—r—ly, and I think he'll be cautious for the future, he told me, he was loth to refuse a £5: Bill.

I think there's no great Reason to fear the Indians making a Breach at present.

I say, if Gilman will be quick in what he is about I think I shall be able to do Mons^r^ Business.

Yesterday was our Election and the Friends to their King & to their Country fairly show'd their strength, and the old Toper with his few adherents are sunk with Despair.

In the struggle for votes, it was once & again said in the House, loudly, none of your Irish Governours. In the Choice of the Clerk he cou'd make out but 22 for his Son to Coll. Wainwright's 69 votes. The Health & the Proclamation about it have done excellent service. We have the best Assembly of 2 Seven years past.

I shall be glad to see my Friends in Aug^st^ or before if they think it for the best. His treating the solemnity of the Fast as he did must still make him more odious; certainly never was Wretch so hated as he in this Province and I wonder your's chimes in no more.

I fancy Madam's Dangler is heart-sick of the Party.

I remain, Hon^ble^ Sir,

Your Assured Friend,

J. Belcher.

Boston,
May 30, 1734.

[Extracts referred to in foregoing Letter.] Ed.

In Dec^r^ 1733.

"That Ellis Huske connives at eluding the Act of Parliament respecting Pine Trees, and a Merch^t^ lodges in his House who ships off large Pine Trees, being squar'd, as call'd Balks to the Spanish West Indies, and Boards made of large Trees: That he is inform'd s^d^ Husk is recommended to be one of the Council, as also one Sherburne a very ordinary Person who has been a master of a Ship, but keeps a little pedling shop, sells meat &c. and its' almost a scandal to set with them."

(1) Coll. Joseph Sherburn ?

Sir—

"After I had seal'd up my Packett by Mr. Oliver in this conveyance I rec$^{d}$ the inclos'd Extract from Coll$^{o}$ D—r's Letter. I believe there is nothing that his malice & Envy wou'd not encite him to say against the Gov$^{r}$ but Im' fully perswaded that his Majesty & his Ministers are so well satisfy'd of your Exc$^{ys}$ zealous & loyal attachment to the Interest of the Government, that it will never be in his Power to accomplish any of his ill-natur'd schemes. I am &c."

London,
March 30, 1734.

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No. 10.

*From Gov'r Belcher to Sec'y Waldron.*

Hono$^{ble}$ Sir—

I have yours of 16: p'sent, and inclose you the Judge's answer, In which the learned here agree with him. H—sk shew'd no sort of uneasiness with Respect to the Gov$^{r}$, but I thought he seem'd to be pretty much so in himself, and if he can form a Judgment of things, he must see he has grossly mist the mark. I believe he'll stand right when he thinks it for his Interest, and otherwise, as he thinks things may be otherwise—But let it be as it will you may now look on him a Massachusetts man.

I am afraid the Judge is turning Fool. Its pitty Sancho has more wit now, than he had about the former Letter—If he would comunicate, and be a little Rhetorical (in his way) it would certainly be of service; since they will be wicked, how can we help what they say? About the naval office H—sk can't be so silly as to say you supplant him, since he is leaving the Province. You'll see what I wrote J—th—m, and that matter must rest till I come. Its talk't as if *Sindry?* was to be collector. If nothing should be done in it by our first London ships; then I shall say my thoughts when I see you.

After all I am at a loss whether to pass from Haverhill by Streatham &c. or to turn to Salisbury—Because I am told there is between Haverhill and Exeter 10 miles of very bad Road and that Gov$^{r}$ Shute or Burnet could n't pass that way with wheels, and the Cavalcade will not look so well with the Gov$^{r}$ o' Horseback.—Think and determine with old H—— how the Route must be, and tell me as soon as you can.

I shall be glad to see as many of my Friends at Haverhill as incline to come. Cr—d—c said yesterday Mons$^{r}$(1) would certainly go Home this Fall, if he could make any Handle against the Gov$^{r}$ (or any thing else) for an Excuse, and if nothing comes in his favour by the London ships, I am apt to think he will run mad and go: I have all along thought the affair of the Riot would give him considerable advantage. The Royal Woods is a precious tender Point, and he is artful in laying Colors, but we must wait; the scene will soon open for we daily expect the London ships.

I am, Sir,
Your Ready Friend
J. Belcher.

Boston, Sept$^{r}$ 19, 1734
Mr. Sec'y Waldron.

(1) "Mons'r," refers to Lt. Gov'r Dunbar. Ed.

No. 11.

*From Gov'r Belcher to Sec'y Waldron.*

Hono$^{ble}$ Sir.

Altho' your Postcript says you believ'd you should be at home to receive this answer to yours of 22: Inst. yet I can 't believe you will be long so after Rec$^{t}$ of mine pr the carrier, yet as this will fall into the hands of the faithfull companion of your Pleasures & Toils, I am easy, and once more tell you I am perfectly pleas'd in your whole conduct: and assure you an honorable Quietus wou'd be highly acceptable but for the very Reason you mention.

I observe the whole Catalogue of Lyes that are bruited—Weak as your poor wretches are, Methinks four years Experience that lying has never come to be Truth, shou'd open their Eyes: and what Point has Sancho gain'd to this Day? On the contrary what a Fool has he been made of at Pemaquid,(1) and every where in every thing.

I have a fine time of it That I must make old H—— a Collon$^{l}$, Treasurer & Clerk of the Court, and yet he must be such a poor unthinking ——— as that if a Gov$^{r}$ does not take notice of a worthless Hound that chimes in with all those that would cut his throat, the old Fool forsooth must be afronted. As to the charge of Beds for the Gov$^{r}$: and one servant, with Hay & the Stable Room for the Horses, I would be glad of an acc$^{t}$ of it and to pay it. I never eat Suppers, and always my own Chocolate. As to young Dick,(2) I take him to be a modest fellow. The matter of the Bill I transacted wholly with Husk, and have paid him 27 : 5 : 2, Str. with the Exchange he gave, and the punctual Interest from the Time it was unpaid, and he desir'd no more; but had I done it with the other, it had been a mighty Thing for him to have given the Governour his care & Pains of purchasing a bill of Exch$^{a}$. of 27£ Str. which I wou'd do for nothing for any friend if it fell in my way.

But he shou'd always remember I made his Father Collector, by which he got for salary £25 Str. besides all the Fees and I made the young fellow half Sheriffe, for which I was offer'd in London 100 Guineas. But a Gov$^{r}$ is to bestow all his Favours upon a Crew of Hounds for the gratitude of being bit or sharpt as they have opportunity, but I take all this talk to arise from the old Jezebel, whose Lec—h—ry & Lew—dn—ss failing thro' Dint of age, loves money, just as she us'd to do the poor decrepid poxt Doct$^{r}$. So much for that.

As to the Address, you seem to think it impracticable—you are therefore wise not to attempt it.

What shall we do with old H—— Guts & Lt. Jo— I can give the office but to one.—You say, you are in a worse state than ever; I think we concluded that cou'd not be, and that against another Assembly things wou'd come to rights. But if you think they won't, I shall put off the Tho'ts of coming, when I intended. For why should I make a Winter jaunt to no purpose. Oh Tempora! Oh Mores! I am sick of your fooly Government, and yet I am fully in opinion with you that all the airs proceed from sound Despair; for they must some of 'Em know, what I do by my Letters from London of 8: of last

(1) Allusion to the failure of Lt. Gov. Dunbar to be appointed Gov'r of the settlement at Pemaquid in Maine. Ed.

(2) Richard Wibird, jun? Ed.

month—That as one of the Sachems said to me in the Conference at Casco Bay (when I proposed changing their religion) that is too heavy for me to lift; so the Gov$^{r}$ is too heavy for Sancho and all his minions to stir—No, the Gov$^{r}$ stands firm with his Royall master and with his Ministers, and I have good Reason to believe Mr. Belcher grows in favor with God and man; and I assure you I am no ways discourag'd with all you write—But am prodigious fond of the fine Device round the Palm Tree—*Depressa, Resurgo*—But what is still more my favorite motto is—*Sustine & Abstine*, which comprehends all Christian Virtues and grace.

I can say no more to you than I have, which is that I am always ready to do you good according to my Power.—and the Instances you mention may be Proofs of it,—and the last I will still do at all events, if you think it best. I have not heard a word from Wheelwright since I saw you, he promist to make his Request to me of quitting in a letter, but I take him to be an ignorant dull Fellow, and perhaps he has tho't no more about it.

What's come of all their great talk about the Line—Why I suppose there will be orders once within these seven years to have it settled according to the Instruction the Gov$^{r}$ brought with him, and why should the poor People pay for the Ipswich Boy's Wife's Brockade, &c.

I thank you for all your particular Intelligence, and am glad I have been able to steal Time from the Assembly, & our London ships to balance the acc$^{t}$ with this long Letter.

I have the Copy of Bacon's Patent. Has Russell the Perry safe in his sellar,—I don't expect it this Winter.

My Wife joins her best Respects with mine to Mad$^{m}$ Waldron, and I am Sir—your assured Friend

Boston Nov. 25: 1734. J. Belcher.

Mr. Sec$^{y}$ Waldron.

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No. 12.

*Gov'r Belcher to Sec'y Waldron.*

Hon$^{ble}$ Sir—

I am oblig'd with your Favour of y$^{e}$ 17: & 24: present; and remark very particularly all you say about an Assembly, and inclose you old H's——pr this Post, to read and return, and think we all seem to jump in opinion that its best when we do sit to be at the usual place if it may be tho't for the good of the Lieu we can adjourn to Exeter when we please—I think by the strain of Old H's he seems to be honest—I am thankfull for your advice about the sitting of an Assembly which (in the Integrity of your Heart) you think best to postpone at Present. I assure you I have no Stomach to repeated Fatigues and charge to no purpose.

I take H—ske to be a sorry false Fellow, and young D—ck a very mean, narrow spirited Creature, he strenuously insists on the Difference of the Exchange—I am therefore now determined to make R–ss–l whole Sheriffe, or put him in a new partner, and I will appoint a new naval officer without any more Delay, and if I can serve you in these affairs (viis et modis) pray let me do it. But I will make no further complements to Falseness and Ingratitude—yet these alterations can never be so well done as when I am on the Spot, and its best not to open your lips about 'em.——I hear nothing from Wheelwright but have frequent applications about his place——W—Wentworth, E.

Vaughan and Lane have been mention'd and the first from several Quarters. But here I would serve you again, so you must choose.

If I don't see you by the last of next m° you mustn't expect it till next October.

As to the spring Ships or the Determination of points they must take their course, and we must go right forward in our Duty—they that observe the Winds and Clouds, will neither sow nor reap. When the Ships arrive, doubtless the advices will be chequer'd and perhaps nothing definitive. But they'l go on lying and say it must be by the next—by the next—& so on: yet if upon the whole there is no probable Hope of a peacefull session Don't let me come. I will do just as you agree among you. Think it and talk it closely and give me the Result by return of the Post, Because if I don't see an Assembly with you, I wou'd bind myself to the Dispatch of some necessary affairs here.

How come you to have the Honour of supporting the Pall—Pray has the Vice Presidents Relict been yet to make his Compliments to Mrs. M——ch.

The B B's Pr—st is a jolly Fellow. I hear he stood Kick and Cuff upon the Road with some Swampeers.

I am always
Your Friend & Servant

Boston Janu$^{y}$ 27, 1734–5 J. Belcher.

Mr. Secr$^{y}$ Waldron.

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No. 12.

[Extract.]

Sir—

"By a Ship to New-York from London I have to the 18$^{th}$ Nov$^{r}$ but nothing new, so can't say what Turn the Line will take, but Tomlinson seems to have a Flank upon Wilks, by the Submission the latter came into so inadvertently at the Board of Trade. Sancho's man's Letter pr King, I believe was of no great moment, but perhaps he will now have Letters by the York Ship, & if any thing they judge proper for the Trumpet, you'll hear it.

"Mr. Pst—m—r must be humoured & kept honest. King's a clever Fellow & seems to be more of a Hero than formerly, & has a considerable low thought of R—ndge. I have no doubt but Tomlinson, as well as my brother & Son will push for a hearing, that we may know the Decision pr the ships the next month; what it will be I am not able to say, but its' best you be prepar'd for the worst. The Gazette will tell you how forward the Peace is.

Boston, I am, Sir
Febru$^{y}$ 16$^{th}$ 1735–6. You servant
J. Belcher.

If Coll. W—st—br—k could proceed this Summer, I believe it might be to his own & your advantage in more respects then one.

Mr. Sec$^{y}$ Waldron.

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No. 13.

*From Gov'r Belcher to Sec'y Waldron.*

Sir—

Your several Letters of 13$^{th}$, 16$^{th}$ and 20$^{th}$ present lye before me, methinks P—g—m made a short stay with his Friend. It slipt my

thoughts, or I should have given you and Coll. H. orders to have sworn him, but its no great matter.

If it be as you heard, I think Dr. Rogers has play'd his Cards well. If Lord W—ld— is gone to George's, perhaps he'll think he has play'd the Fool, when he comes back. I fancy he'll find that affair grow more heavy and burdensome every Day.

If some of your *Line Wretches* had one about their Necks, it would be but a piece of Justice they richly deserve from the Province. I look upon that matter at an End upon the present Footing: and pray which of 'em is Politician enough to know what to do next? How barbarous would it be for the People of your Province to be burden'd with Taxes, to pay the charge of their vile management!

I have prorogued this Assembly to 20th of Octr nor do I suppose they'll sit then. As to making a Visit your way, whenever you think it may be worth while, I'll come.

I am heartily sorry to hear the Sickness is renew'd among you, and that your Son Richard is down with it. I pray God to recover him, and to take all your good Family into his merciful care.

Boston I am, Good Sir
August 23d, 1736. Your Friend and Servant
Mr. Secy Waldron. J. Belcher.

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No. 14.

*Gov'r Belcher to Lt. Gov'r Dunbar.*

Sir—

Mr. Waldo brought me yours of 20th present and I wish I could omit remarking on your presuming to blot Packets with your Scrolls, directed on his Majesty's Especial service to the Govr: by what means you intercepted these Packets you best know, I assure you I take no notice of the copy of one you have sent me; but now demand of you the original, if there be such an one, for you must excuse me from giving any Faith to your attestations; but if I should, yet you have nothing to do with Packets primarily directed to me for the King's service, while I am either at Massachusetts or New Hampshire. Sure you can't be so silly and ignorant as to think the Direction on a Letter can countermand the Royal Hand and Seal.

I heard you had some time since a Letter directed—*To his Excell'y David Dunbar, Esq. Gov'r &c.* which I suppose you took as a gross affront upon you, tho' I heard you said upon it—you have rec'd a Letter worth £600, a year. This I did'nt wonder at neither. These little thin artifices you find are not to be practic'd with me—and why do you worry yourself? Since I told you years ago that nothing less than the Royal Hand, that gave me my authority, should take it from me, & should I be in any other way of thinking, I should highly abuse the goodness & Honour his Majesty does me, & justly forfeit the Trust he has repos'd in me.

You say you certainly imbark this week, but I am told the gout has got hold of your Toe, I hope you won't let it prevail to stop your (*talkt of*) voyage: I say this, because I found in yours to me of Decr last, you were willing I should have hindered it. And I took the main Design of your humble Complaint to the House of Represts of New Hampshire against the Govr to be, that they might desire you to stay, instead of which you doubtless thought 'em very uncomplaisant upon the offers of your service saying, *If you believe I can do anything to*

*serve your Interest in England, & will be pleas'd to tell me wherein, you will find a grateful Return from me;*—that they should think you not capable of doing any thing to serve their Interest, which appears in their lean answer:—*To Thank his Honour for his kind offer.* Methinks they might have wish'd you a good voyage, but perhaps they did'nt believe you was going; yet you have carry'd the jest so far, that I don't see how you can well avoid it.

You don't want the Province's nor my good Wishes for their happy Riddance, but I have had so many Letters from you in six years past, saying, You was resolv'd to *go home, go home*, that I shall not believe it, till some vessell tells me, they have met you to the Eastward of St. George's.

Boston, J. B. (Copy.)
April 25th 1737.
Lieut. Govr Dunbar.

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No. 15.

*From Gov'r Belcher to Sec'y Waldron.*

Sir—

I have your alive Letter of 29th ult. pr Post. As to your new Bills, the way to know whether they'll pass, is, to make Dispatch in getting them out; the sooner that's done, the more readily they'll obtain a currency, and which I think nobody need trouble themselves about. I am glad the first sett of the Copies will be here tomorrow The Pr-t-nd-r will certainly be a long pending affair, & full of charge.

I take a particular Notice of the whole Farce play'd off by *Scarramoncho* last We'nsday. R—dge is a Rascal, G—tts a Scoundrel, the Turner a Weathercock, a Fool, hardly worth notice, the Loon & the Ape are very impudent, old H. is a compound of Ignorance, Jealousy & Brittleness, so one must be wise to keep him steady,—Since things happened as they did, its well he went, for Sancho was near his Point: if they had been all alike brave with Coll. Jo. and D-nn-t, & have done as you directed, it had been better. G-mb-ng is knowing and honest, and its well he went. Don't you know five is a Quorum of the Council in ordinary, & even three in extraordinary cases? I wonder he does'nt try this Experiment, because he may always have four. I hope the T-nn-r (1) holds right & steady. As to calling the Assembly, you may depend he has no authority from home about it, not but that T—— may write him to venture upon it, but you must watch their Waters, and timely issue the Preventer.

I thank you for handing along the Dose I sent him pr the Post, it was exactly tim'd. I hope he'll read it to the Priest, & the rest of his minions. I much approve your Answers to his Epistle & Sumons but pray send him no more copies of any thing, 'till he pays you, its enough to say your hands are full at present with the Govrs Commands. I am fully perswaded he never yet intended to go, but if he should I shall attribute it intirely to the strong Doses administered to him last week, that have made such a Ferment in his Bowels, & even in his Brains, as to throw him into a downright Dementation.

If he vamps, shouln't some rough Game have a Hint (as wisely as possible) to make out some Tokens of Joy & Contempt.

Boston I am, Sir
May 2d 1737. Your Hearty Friend
Mr. Secy Waldron. J. Belcher.

(1) Perhaps the Governor refers to Hon. Wm. Parker, who, in his youth, was a tanner in Portsmouth, but afterward was a lawyer, register of Probate, Judge of Admiralty and held other offices. Ed.

# INDEX.

[NOTE The Index, which follows, is designed to contain the name of every person mentioned in this fourth volume. The officers of government, as Governor, Lieut. Governor, and Councilors, are put in SMALL CAPITALS, but not otherwise referred to, except as performing some assigned duty. The word *passim* indicates that a name is found very often in the volume, and need not, therefore, be repeatedly noted. Besides names, the Index, it will be seen, contains reference to all the leading matters in the volume, and should therefore be carefully consulted. The Editor has aimed to be accurate, but still fears that errors may be discovered.

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